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THE

# WEEKLY REGISTER.

CONTAINING

POLITICAL,
HISTORICAL,
GEOGRAPHICAL,
SCIENTIFICAL,

ASTRONOMICAL,
STATISTICAL,
AND
BIOGRAPHICAL

## DOCUMENTS, ESSAYS, AND FACTS;

TOGETHER WITH

## NOTICES OF THE ARTS AND MANUFACTURES, AND A RECORD OF THE EVENTS OF THE TIMES.

H. NILES, EDITOR.

*Hæc olim meminisse juvabit.*—VIRGIL.

FROM SEPTEMBER, 1813, TO MARCH, 1814.—VOL. V.

BALTIMORE:

PRINTED AND PUBLISHED BY THE EDITOR,

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TO THE MEMORY

OF

# LEONARD COVINGTON,

## Brigadier-General;

WHO "FELL WHERE HE FOUGHT AT THE HEAD OF HIS MEN,"

AT WILLIAMSBURG, IN CANADA;

AND

# WILLIAM BURROWS,

## Lieutenant in the Navy:

The conqueror of the BOXER; who, mortally wounded, entreated "that the Flag should wave while he lived"—

THE FIFTH VOLUME OF THE WEEKLY REGISTER

IS MOURNFULLY,

BUT RESPECTFULLY, DEDICATED

BY THE EDITOR.

"PEACE TO THE SOULS OF THE HEROES; FOR THEIR DEEDS WERE GREAT IN THE FIGHT."

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# THE WEEKLY REGISTER.

No. 1 of vol. V.] BALTIMORE, SATURDAY, September 4, 1813. [whole no. 105.

*Hæc olim meminisse juvabit.*—Virgil.

Printed and published by H. Niles, South-st. next door to the Merchants' Coffee House, at $ 5 per annum.

## An Earnest Request.

On presenting the first number of the fifth volume of the Weekly Register, the editor gratefully begs leave to offer his thanks for the past patronage of the work—and, for the purpose of accomplishing certain prospective arrangements of high importance to the future value thereof and his own happiness, he respectfully requests that all his *friends* may accommodate him by closing their several accounts up to the end of the present year, no. 156, in *advance*. This mark of their polite attention shall be duly acknowledged and thankfully requited by an increased attention to please, *as the means are afforded.*

### *Conditions of the Weekly Register.*

It is published every Saturday at *$5 per annum*, (payable in advance) and makes two volumes a year, of between 4 and 500 pages each. It is packed with unparalleled care, and sent in safety to the most distant post-offices. Missing numbers are liberally supplied, without charge, to a reasonable demand.

The work began Sept. 7, 1811—the first number of the second vol. was published March 7, 1812—of the third, Sept. 5th—of the fourth, March 6, 1813—and first of the 5th vol. appears this day, herewith. Subscribers may commence with either of the volumes, which may be safely sent by the mails, and their delivery *guaranteed* by the editor, is except in some parts of the *Mississippi Territory* and *Louisiana*, by paying for the volumes required, with the current year's *advance*.

Additional patronage is respectfully invited.

## Whys and Wherefores.

The editor has been sometimes reprehended (as he believes in friendship) for certain parts of his conduct in managing the Register. It may be well, on an occasion so apt to the subject, to give a few of the *whys and wherefores* that have guided him—not with a belief that his reasons shall prove satisfactory to all; but under a hope that they may be useful to many.

First. *Of the* Weekly Register *as a book of reference*

Some would have this work to be a mere record of facts and papers; while others desire it active, zealous and original. To satisfy the former, we have never refused the insertion of a document or fact, within the scope of our plan, through its political bearing or tendency, or *vice versa*; but almost every thing important to be preserved, has been recorded; whether it regarded the general government, or the individual states. And the papers so furnished, could not be purchased in their usual form, for three times the amount of the subscription we claim; nay, their very *binding* would cost more than our work ready bound. This was the *primary* object of the Register, and the editor feels self-assured that he has not neglected it. The pressure of those matters has generally prevented the free operation of the will to furnish articles from manuscript; though we have embraced many opportunities to speculate on passing events, &c. Here are two interests, opposite in their natures, that must be consulted. It is essential, that the *Register* should partake of the durability of a *magazine* with the spirit of a *newspaper*, to hold a *future* and excite a *present* value.—The path is narrow and difficult; and sometimes we may aberrate from it. Our errors, we trust, are on the side of our country in its struggles for sovereignty—and, we think, if the matter be carefully examined, that no sentiment can be found in the work, against which a *republican American* will sustain an exception, further than he may question the *policy* of the war.

Second. *As it regards monarchy and established religions.*

It will appear strange to a vast majority of our readers, that the editor should have been condemned as a "jacobin" for his opposition to *royalty*; or that his endeavors to expose the rapacious hypocricy and consummate villainy of *church establishments*, have made him suspected of *atheism* or *deism*. These *comical* notions may have arisen, perhaps, from supposing I had reference to *England* alone; but such conclusions are not warranted by the facts, and must be drawn from causes operating on the minds of individuals essentially different from the principles *we* would establish. It is true, we have more frequently alluded to the *despotism* and *churchism* [to coin a little word that suits our purpose] of *England* than of *France*; as well because we are much better acquainted with her institutions, as on account of this—that no man considers *Bonaparte* but as a tyrant, or looks up to *his* church as the "*bulwark of the religion* WE *profess*." Yet, honestly, the *spirit* of the two governments, in their political and *clerical* affairs, is precisely the same; and I detest the whole breed. All the charities of my heart are lost in the enormity of their crimes; and I would not turn on my heel to save either pack from instant annihilation, speaking of them in their *official* capacities. Generated in rapine and sustained by fraud. I truly believe them to be the chosen curses with which "Old Satan" would afflict mankind. Good and evil are not more opposite in their natures, than the genius of *our* institutions and the principle of *monarchy* and *priestcraft*. Thus I humbly presume, every *American* is *constitutionally* bound to esteem them: BUT IT IS NOT SO. I have, therefore, felt it my duty to use the feeble means I possess, to excite a "holy hatred" of these things, to laugh to scorn the "*legitimacy*" of princes, and provoke a *national* and *American* feeling, counteracting the power of prejudice, and the deleterious effects and dangerous influence that arises from the vile books unthinkingly put into the hands of the youth, chiefly of *English* compilation, and made up of *foreign* ideas.*

* *My* opinion of kings may be gathered from the following *little* anecdote. Some time ago, one of my sons then about 7 years old, curiously said "*Pa, what sort of things are kings?*" Willing to hear his ideas, instead of answering the question, I asked him, what *he* thought they were? He replied "*He did not exactly know; but he thought they were some kind of rogues.*" It is needless to say that I was delighted. *Solomon*, himself, could not have given a judgment more congenial to my notions of right.

Let nothing here said, be construed into a reproach of those who teach or profess the *tenets of established churches*; so far as they relate to spiritual things, or themselves as individuals, whether *Catholic*, *Lutheran* or *Calvanic*—I disavow every intent and meaning of the kind; yet am not without a belief that some may *charitably* impute it to me, judging of the future by the past. It is the *system* as connected with the *state*, that I consider so fatal to true religion and happiness. "The tree is known by its fruit"—look at the people of the *U. States*, and compare their morality and orderly lives, with those of the same classes of society in the best parts of *Europe*. Besides, in this opposition and reprehension I am sustained by the fathers of our country, who framed the constitution of the U. States, as well as by the constitutions of all the states; for all solemnly protest against every thing like *established religions*.

But—it may be asked—why so great hostility to these things? If *foreign* nations are pleased to have kings and kingly priests, what is it to us? how is it *your* business? I answer—"let every man [or nation] manage his own affairs in his own way;" this is my creed, political and religious—but let him not interfere with the concerns of others; if he does, the faults of his system must stand exposed as a beacon for the unwary. There is much of the spirit of *royalty* in the people of the United States; it is a *foreign* feeling, and must be attacked by referring to its effects in *foreign* places. I know a district of country where it was no uncommon thing, some few years ago, to "*Huzza for king George!*" and if a man will carefully examine the newspapers, he will find *that* authority frequently *acknowledged*, being spoken of as "*his* majesty," without the *national* qualification that it becomes *us* to give him, esteeming him a *foreigner*. This subject might be exceedingly enlarged, and its points sustained by hosts of facts. But we fear to become tedious, and dismiss it.

THIRD. *Of Foreign Influence.*

As, from the wonderful workings of *party*, it seems almost impossible to touch this subject without being regarded a *party man*—let us dispassionately consider it, and see if we cannot find out the root of the evil, by simple deductions to be drawn from the common operations of our own minds.

I do know there is a mighty and powerful "*British* influence" prevailing in the United States. I myself am oftentimes under it, in spite of reason and philosophy. I confess the weakness. If every man descended from *English* ancestors, (as I myself am,) will examine himself, and be equally candid, I think he will make a similar acknowledgment. The next generation may be free of this incumbrance: all we can do is to keep it within reasonable bounds; and teach our children differently. On several occasions the great causes of this influence have been noticed. See particularly, pages 99, 198 of Vol. IV. "*On Foreigners.*" But the present object is to shew the effects of our *British* prejudices in a plain and simple manner, that every man may see for himself. I speak of and to those, (the bulk of the people of the United States) whose ancestors were *English*.

There is no fact better known to us than that the population of our country is made up of the descendants of many nations—chiefly of *English*, *Irish*, and *French*; and that many *Englishmen*, *Irishmen* and *Frenchmen* fought the battles of independence. The *names* of those people are as various as their places of nativity, and each have some national characteristic. Let me ask the *English* descendant, if he ever sees a *Mac*,* an *O'* or *D'* prefixed to a surname, without mentally enquiring if the person is not an *Irishman* or a *Frenchman?* If he were called *White*, *Black*, *Brown* or *Green*—*Dick's son*, *Tom's son*, *Jack's son*, or *Nell's son*—a *Carpenter*, a *Smith*, a *Shoemaker*, or a *Waggoner*—*Miles*, *Niles* or *Stiles*, or any other good *English* name, we should not question his citizenship, or so suppose him a *foreigner*. What would a *delicate* young lady, of this class, think of a matrimonial connection with Mr. *Terrence O'Flagherty?*—Why, the very *name* would frighten her into fits!——and yet Mr. *O'Flagherty* may as well be an amiable and a good man as Mr. "*Cruikshanks*, *Sheepshanks* or *Shufflebottom*"†—Mr. *Guelph*, Mr. *Goodbehear*, or any other of those abovementioned. "What's in a name?

"A rose by any other name would smell as sweet,"

and the *Mac*, the *O'* and the *D'*, have exactly the same *meaning* as the word "son" attached to the *English* names of *Dick*, *Tom*, &c. But, here is the mystery—by tradition, books and conversation (*all English*) we at once apprehend that Mr. *O'Flagherty* must needs be a "wild Irishman," barbarous and uncivilized; fit to cut throats and dash out little children's brains;—if he has the *D'*—we put him down for a "*French dancing master*," or, at least, consider him "*an outlandish sort of a fellow.*" ALEXANDER COCKBURN, or GEORGE TECUMSEH, would do much better. There is no childish prejudice to operate against *them*. However infamous the present possessors of those names be,—if *others* had them, who would attach arson or murder to them on that account? Herein we see the dark policy of the British government, that artfully and imperceptibly forces its way into the very *joints* and *marrow* of the youth, exciting a hatred of *Irishmen* and *Frenchmen*, as well as in monopolising to itself all the virtue and talents of the world.

It is thus, without reason, we are trammelled in a thousand other ways by "*British influence*"—it works itself all the circumstances of life. I will mention another *familiar* case: It is perfectly notorious that the outrages and oppressions of the "*Church of England*" drove the great body of our forefathers from their native land to this then savage country. Every body knows this. Yet in many parts of the United States, and remarkably so in such as are preeminently conspicuous for being peopled by those who were truly "*kicked*" out of *England* for conscience sake, how does the blood recoil when a *Roman Catholic* is mentioned! What evil hath *he* done to us? Why attach terror to *his* religion, and call *that* the "*bulwark*" which drove us from the land of our forefathers, through its vile persecutions? Are not the *Catholics* men like ourselves; and in *Maryland*, and some other states, among the very best of our citizens? It comes from the incessant *English* cry of "*church and state*" and "*no popery*," set in motion by rosy gilded priests and prostituted statesmen, to keep the machine of monarchy a-going. It is handled from father to son, and dished up in many new shapes to steal into the mind—with the common view of sustaining—the *bench of bishops*, and the king (poor silly, mad *George!*) as the *head of the church!*

As it regards *France*, the million of prejudice is decidedly against her: and hence the clamor of "*French influence.*" I call it a *clamor*, for it appears to me a natural impossibility that it can really exist, though many honest men, led by the prejudices hinted at, may honestly believe that it does. To what possible rational cause can such an influence be attributed? We have nothing *French* in our lan-

* The *Mac*, properly belongs to the *Scot*—but a vast majority of those who have the prefixture in the U. States, are *Irish*.

† These were actually the names of a certain commissioners.

guage, manners or habits—from the garret to the cellars of our houses, all things are of the *English* fashion. Very few *French* books are read, and none of them are used in our schools. Where is the avenue by which a "French influence" can reach us? Through blood connections—through trade, or the sociabilities of private life?——Impossible. The *Frenchman* is *always* a "foreigner;" he constantly feels himself to be so, and rarely, very rarely, mingles in society. If LA FAYETTE, the illustrious, had remained in the United States from the period of the revolution to the present day, would he not yet have been known and regarded as a *Frenchman?* Let every man examine and answer for himself. The affirmative is demonstrated by the actual condition of those *Frenchmen* who fought for American freedom, and remained with us to enjoy the blessings they helped to win—they still are *Frenchmen;* we know them to be so, and are unceasingly jealous of them. Thus it was even in the times of the revolution, when they fought by our sides, and made a common cause with us. No possible thing they could do, was able to eradicate the effect of that *English* education which taught us to regard them as "*natural enemies.*" The arch traitor, BENEDICT ARNOLD, well knew the force of this prejudice; and excused HIS OWN "*British influence,*" by charging the old congress and the commander in chief, the immortal WASHINGTON, with being under the *influence of France*—But we have enough on this. The people of *America* unanimously agree that *Bonaparte* is a tyrant—a rapacious being that "feels power and forgets right." O, that we could think all kings to be so!——for such, in truth, they really are. Earth does not hold a viler family of beings than that of the *Guelphs;* nor is there a government more prodigal of blood than that of *England.* The excesses of the *French* revolution were children's play compared with her ravages in *India*—and behold her now in *America,* holding a market for scalps!

FOURTH. *On the union of the states.*

Here is, indeed, a fruitful subject for animadversion and remark. If we have not said much upon it, it was because, in obedience to the precepts of the FATHER OF HIS COUNTRY, I would not lightly speak of it; or have it supposed a dissolution were practicable. Nor do I apprehend that it is. Yet those who urge it (and I must believe they are paid for it, the project being the great favorite of the enemy) should be reprehended. The *Boston* folks take the lead in this *bug-bear;* and certainly have somewhat loosed the "bonds that made us one people," by a system of falsehood and perversion of fact, unprecedented. So outrageous have been the proceedings of certain "head men," that many are ready to say, "*let them go.*" This is almost as bad as the other. It will be no difficult matter to shew, that the "shipping interest" of *Massachusetts* of which we have heard so much, owed its rise and prosperty *entirely* to the products of other states; and that, without their commodities, she cannot employ, on any terms, one *fourth* of her tonnage; and that her population could not be sustained, in the event contemplated. In 1750, *Massachusetts* proper (for Maine was then a wilderness) had 220,000 inhabitants—and all the rest of the colonies did not contain 800,000 more. On this, some curious statistical remarks present themselves, and we shall sift the subject to the bottom ere long, whether as it regards *taxation, population* and *representation,* or the *future prospects* of the several states. I sincerely hope the *Saturn-like violence of an ambitious few may not *hasten* the decline of *Massachusetts* in the scale of the union. She can expect nothing more than her population gives her; and thousands are leaving her every month. Herein, perhaps, is the cause of that frenzy which continually furnishes new matter to feed its own folly. It may not be considered hazardous to say, that *Ohio,* "glorious *Ohio,*" whose civil institutions and active patriotism are above all value, will have a greater representation in congress after the census of 1820, than *Massachusetts* (proper) if her leading characters pursue the wayward policy that now directs them. Never did men (through party and *foreign* influence) commit so gross a political blunder as they, in discountenancing the establishment of *manufactories.* Many thousands of their *artists* and *mechanics,* beholding the *road to independence* opened in other places through the liberality of the capitals invested, have abandoned their homes; and are to be found in every state, and in almost every town and county of the union, south and west of the *Hudson.* All these might have been retained; and a full population, by the more easy distribution of labor, would have enabled them to furnish us with goods on better terms than we ourselves could have made them; nay, perhaps, have rendered unnecessary some hundreds of the establishments that spring up, as by magic, in the middle and western states. There is yet time to do much in that way—the persevering industry and ingenuity of this people, is happily fitted to establish and sustain the great sources of wealth that flow from manufactures.

But the subject is too copious for the room at present afforded. We shall embrace some early opportunity of appealing to the reason of the *people;* not because we believe they are disaffected to the union, (for we do not apprehend any such thing) but with the view of collecting and arranging some facts, by which they may expose the *British, anti-union demagogues,* and rouse themselves to the exertion that becomes them, as men and republicans, to put down by the force of their sentiment, that outcry which disgraces their country, and cherishes the hopes of its barbarian foe.

FIFTH. *Of the war.*

This article has extended to so great a length, that I must refer my readers, generally, to the essays and facts inserted in the preceding volumes of the *Register* for "whys and wherefores" of the support that I give to it. I will only add, and I verily believe this—that there is no man of respectable political standing in the United States, (I care not of what "party,") that would put his hand to paper, and *acknowledge* as *rights,* the *pretensions* of the enemy, about which we contend. A resistance of those *pretensions* might have been delayed yet longer; but the "*Rubicon is passed,*" and they *must be* exploded or sanctioned. If this opinion, as to the universality of sentiment in favor of our claims, be correct, and it assuredly is,† what is to be done, but by supporting the war to finish it speedily? Then, if the people please, let them condemn the administration for commencing it improperly or prematurely—but until then, though like man and wife we may differ, let us cease the quarrel of ourselves, and *unitedly* fall upon the adversary of both. Had this spirit of union existed some years ago, the war would not have been. As it is, may we profit from folly, and

* Saturn, in fabulous history, is said to have devoured his own children.

† For example—ask any one, "Shall American ships be searched for men? Will you agree to acknowledge this as the right of *Great Britain?*" Let there be no twisting or quirking; but have the plain naked *principle* settled, *yea* or *nay,* as it now must be by treaty, come peace when it will.

end it as becomes a high spirited and free people. Our love of peace is known to all the world—the principle of our government is founded upon it—may the world also see and be convinced, that the *republican system* can avenge and sustain itself against the inroads of kings, on the rights of humanity.

SIXTH. *Of our manner of making up the Events of the War.*

This is, in truth, the most difficult and laborious part of our work. It requires more reading, care and attention than any one can conceive, who has not witnessed the toil bestowed on it—that nothing worthy of record and reference, or as news, may be omitted, and that if possible, "the truth, the whole truth, and nothing but the truth," may be told. The official papers are easily arranged; but to examine the *clouds* of unofficial reports and statements, to revise and digest the mighty whole, and put it into regular form, is no easy business! The editor is aware that it is the insertion of the thousands of little incidents occurring, beneath the dignity of official communications, that gives a zest to the *domestic* history of a country—and, though some may think, *at the moment of receiving them*, that certain articles might well be left out, it is believed they will generally have a different opinion of them a *little time hence*. Such, at least, it is our *hope* and *design* that they shall.

We have yet some heavy articles before us to complete the *original* prospects of the REGISTER. One of them, the insertion of the *constitutions of the United States and of the several states*, has been effected. The others of a permanent nature, are only postponed; and shall *liberally* appear as we get forward.

## Allen—"his majesty's consul."

In vol. IV, page 26, we confessed our surprize at the impudence of this *Englishman* in exercising his consular functions after the declaration of war.—From the following law report, copied from the *Boston Patriot*, it appears he has been "brought into court."

On Saturday last, (Aug. 21) before the hon. judge Davis, *Andrew Allen*, Esq. late the British consul resident at *Boston*, was examined on a complaint, in behalf of the United States, for receiving and obtaining, while resident in the United States, from an officer of the British government, a *license* for vessels to transport merchandise to, and to trade with the enemy's ports. The complaint being founded on a section of the statute of the United States, passed on the 6th of July, 1812; which for the information and caution of the citizens, we will extract.

"Sec. 7. *And be it further enacted*, That every person being a citizen of the United States, *or residing therein*, who shall receive, accept, or obtain a *license* from the government of Great Britain, or any officer thereof, for leave to carry any merchandise, or send any vessel into any port or place within the dominions of Great Britain, or to trade with any such port or place, shall on conviction for every such offence, forfeit a sum equal to twice the value of any such ship, merchandise, or articles of trade, and shall moreover be deemed guilty of a misdemeanor, and be liable to be imprisoned not exceeding twelve months, and to be fined not exceeding one thousand dollars."

Mr. *Allen* pleaded not guilty. The evidence appeared to be a *license* found on board the ship "*Aurora*," which was lately captured on her way to the *West Indies*, and sent into *Newport*, by the American privateer "*Gov. Tompkins*," and there libelled and condemned to the captors, in both the district and circuit courts; which license was authenticated by the hand writing of *Allen*, his name appearing on several papers which accompanied it, and by the old official seal of the late British consulate at Boston. The signatures of *Allen* being denied, were proved by Mr. *Thomas H. Perkins*, a witness in court. Among these papers was a certificate of *Allen*, dated October 1, 1812, authenticating a copy of a letter of *general license* to export flour and other dry provisions to British, Portuguese and Spanish ports, addressed to *Allen* by vice-admiral *Sawyer*, on the 5th of August, 1812, and which appeared to be in answer to a *previous communication of Mr. Allen*, of 18th July, pointing out to admiral *Sawyer* the "*means of ensuring a constant supply of flour and other dry provisions to Spain, Portugal, and the West India Islands*," which method so devised by *Allen*, admiral *Sawyer* seems to have adopted in the license produced in this examination. The copy of *Sawyer's* letter of license was as follows:

*His Majesty's ship Centurion, at Halifax, the 5th of August*, 1812.

SIR—I have fully considered that part of your letter of the 18th ult. which relates to the means of ensuring a constant supply of flour and other dry provisions to *Spain* and *Portugal*, and to the *West India Islands*, and being aware of the importance of the subject, concur in the proposition you have made.

I shall therefore give directions to the commanders of his majesty's squadron under my command, not to molest American vessels so laden, and unarmed, bona fide bound to *British*, *Portuguese*, or *Spanish* ports, whose papers shall be accompanied with a certified copy of this letter under the *consular seal*.

I have the honor to be, sir, your most obedient humble servant,

(Signed) H. SAWYER, *Vice-Admiral*.

ANDREW ALLEN, Esq. *British Consul, Boston*.

It was ingeniously argued at great length, in defence of the respondent, that he was not the *obtainer* nor *receiver*, but the *fabricator* and *maker* of this license, and therefore his offence, if one, could not come within the statute. In reply, was an able argument on behalf of the government, pointing out the general mischief and abuses which the statute was intended to remedy, and shewing that the offence of Mr. ALLEN of *obtaining a license*, was completed so soon as he had received, *on his own request and solicitation*, the letter of admiral SAWYER; which was a *general license* to export in American vessels to ports of the *enemy*, flour and other dry provisions, and to be used on board of such vessel or vessels as the obtainer and receiver, Mr. Allen, might think proper, which came clearly within the letter and meaning of the statute, and it was not necessary to constitute a license that any particular vessel should be named. Had Mr. A. destroyed or suppressed this license, *thus obtained* from admiral Sawyer, without making any use of it, the offence would have remained the same, and equally within the statute.

The hon. judge, at some length drew a distinction between his duty as an examining officer, and as judge presiding at a final trial, and then ordered *Andrew Allen* to recognise for his appearance at the next circuit court.

Counsel for the government, *George Blake* and *J. E. Smith*, esqrs.—for the respondent, *H. G. Otis* and *Wm. Sullivan*, esquires.

## "Once English always English."

*To gentlemen of the Bar—*

A letter from one of the most distinguished legal characters in the United States to the editor of the *Weekly Register*, has the following paragraph:

"I intended to have sent you the case of the Patersons, of Baltimore, (which occurred soon after the British treaty) who had been naturalized in this country, but who were held to be British subjects, trading with an enemy, in order to condemn the property:—and also to have furnished you with a striking contrast in the case of an American citizen who had resided a short time at *Curracoa*, that they [the British] made a Dutchman, that his property might also be condemned. But I have lost a bundle of newspapers containing "Admiralty Decisions," and among them the paper in which a report of this last case was published. I cannot recollect in what paper, or at what time it issued, but I think it must have been since 1802, *I well remember the remarkable expressions of* Sir WILLIAM SCOTT, *who observed,* "IT HAD BEEN CONTENDED, IN THE PROUD "LANGUAGE OF ROME, THAT ONCE AN "AMERICAN CITIZEN ALWAYS AN AMERI-"CAN CITIZEN, BUT SUCH A POSITION WAS "NOT WARRANTED BY THE LAWS OF NA-"TIONS," &c. In *Robinson's* report of a case I take to be the same, he omits these expressions."

Can any gentleman furnish a copy of the report of the important case last mentioned, that it may be *Registered?* Such an opinion was certainly given by the learned judge, and it ought not to be lost.

# Events of the War.

## MISCELLANEOUS.

*The Chesapeake and Shannon.*—It is a glorious fact, for which we have the unanimous testimony of the enemy, that our naval heroes finished their fame, by the humanity they observed to the conquered. See the various enemy statements. The most minute article of individual property was respected, and *Lawrence* and his crew immortalized themselves by clothing the people of the *Peacock*, and liberally administering to all their wants. The brutality of the *British*, after the capture of the *Chesapeake*, has been constantly stated—were the facts different from the reports given to the world, they would have been denied; for we have thousands that "leave no stone unturned" to exhibit the enemy as models of perfection—"*the shield of afflicted humanity, and bulwark of religion.*" But the verity of these things have not been impeached; and we accept them as incontrovertible truths. We shall not notice this outrageous matter again, except in extenuation, if the "well inclined" shall furnish a statement; but invite our readers to the following from the New-Jersey "*Fredonian.*"

"Our readers will recollect an account we some time since published from a Salem paper, concerning the execrable and horrid treatment experienced by the surviving officers and crew of the unfortunate frigate Chesapeake, after her surrender to the British frigate Shannon. We had the pleasure a few days since of conversing with one of the officers of the Chesapeake, who shared the insults and sufferings on that memorable occasion. We were particular in our enquiries, and received a full and complete confirmation of what has already been published, with the addition of some facts which we do not recollect to have seen noticed.

This gallant and unfortunate officer stated, that *after the surrender* of the Chesapeake the British officers and men indulged in the most horrid and barbarous excesses—no quarter was for some time given—himself was wounded in three several places, dragged from the top and precipitated to the deck where he lay for some time senseless, weltering in his gore. His trunk was broken open and all his clothes and upwards of $100 in cash taken out.—After their arrival at Halifax and in attending the funeral rites of their late gallant commander, he was reduced to the humiliating and degrading necessity of wearing the same clothes he wore in the engagement and had worn ever since, literally stiff with blood!—Capt. Lawrence, when momently expecting to breathe his last, requested that his private papers—HIS WIFE'S LETTERS! would be given up—this was refused. He also had some choice wine which he seemed inclined to taste, but with brutal feeling this was peremptorily refused.

Such are among the insults and sufferings experienced by as noble and brave officers as ever fought. We leave our readers to make their own comments."

*Russian mediation.*—The master of a Swedish vessel that has arrived at Newport, R. I. reports that the ship Neptune, with Messrs *Gallatin* and *Bayard* on board, had anchored in the Sound (the entrance of the *Baltic*) on the evening of the 21st of June. This vessel brought despatches to our government from Mr. *Adams*, and also from the Russian government for Mr. *Daschkoff*.

Many persons, with views not easily reconcilable to their professions, appear sincerely to desire that the proposed mediation of Russia may fail. Among the million of things they have said about it, they have lately denied that Mr. *Daschkoff* was authorised to propose it. The question is at issue as follows:

*A Boston paper says,* "We are even prepared to prove that the offer of mediation was an unauthorised act on the part of Mr. Daschkoff."

*The National Intelligencer rejoins,* "We aver in the most peremptory manner that the assertion, which the Boston editor says he is prepared to prove is false; and we dare him to the proof.——Unless he produce it, he stands convicted of having said "the thing that is not."

The *Federal Gazette*, of Baltimore, states, that "Admiral Warren had informed a gentleman who was lately on board of his ship, that the English government had declined accepting the offered mediation of the Emperor of Russia."

*The allies.*——Extract of a letter to a gentleman of Pittsburg, dated Fort *Meigs*, Aug. 9: "In consequence of the communication being cut off, I had not an opportunity of writing you until now. The enemy found he could not do us any injury. The first day they made their appearance, the Indians killed five of the picquet guard, and took four prisoners. *The night before they left us, they had a war dance,* and BURNED SOME OF THE PRISONERS——we do not know how many, as the bones were nearly burnt up. We are all well."

*Baltimore*, the "devoted city."—We are delighted to observe in the *Richmond* papers, the following honorable testimony in favor of Baltimore, from the commander of an invaluable body of patriots we are proud to esteem:

*Extract of a letter from Capt. Booker, commander of the* Richmond Washington Volunteers, *to Thomas Ritchie, esq, dated Baltimore, Aug. 23:*

"We have been much fatigued, though cheerful in the discharge of our duty, at Annapolis, from which place we marched an Friday last, and reached this place on Saturday evening: Never were soldiers more hospitably treated than our volunteers are by the citizens of Baltimore. Their treatment is such as to excite and deserve the acknowledgments of all the men. We are ordered to York, Penn. there to wait the orders of col. T. M. Randolph, who is now in Virginia, perhaps at Norfolk."

On Monday morning, the 29th of August, this company of elegant young men, took up their march for York. They were escorted through the city and some distance on the road, by the Baltimore Independent Blues and the Yagers, with their full band of music. The streets through which they passed were crowded by a people that knew how to respect them, and the windows were filled with sympathising beauty. They took with them the best wishes of Baltimore.

Two seamen, Thomas Dennis and William Power, of Baltimore county, sailed from Baltimore for Lisbon in Aug. 1812, in a *licensed* vessel. The ship was captured and sent into Bermuda, where she and her cargo were *cleared*——but *the crew were sent to England as prisoners of war!!!*——This is "British justice."

A full account of the solemn honors paid to the remains of Capt. *Lawrence* and lieut. *Ludlow*, at Salem, has not yet reached us; and it would be doing injustice to the subject, to give it partially: it is, therefore, postponed.

A *Swedish* vessel that sailed from New-Haven for St. Bartholomews, was sent to *Halifax*, and there *compelled* to sell her cargo. As provisions are badly wanted in——*Canada*, she will probably return to take out a second load to——*St. Bartholomews*. This is a vile business; but it is nearly stopped from all the places where the articles desired are to be had in large quantities.

*Maj. Gen. Dearborn.* A splendid public dinner was given to Gen. Dearborn, at *Boston*, on the 27th ult. Many distinguished citizens attended; among the Vice-President of the U. S. Gen. Cushing, &c. After dining, the following, among many other like patriotic, toasts were given:

*The American Armies*—The best negociators for peace, are those who contend for the successful issue of the war.

*The Navy of the U. States*—It has inscribed in letters of glory, the national sentiment of *Free Trade and Sailors' Rights*, which no American will consent to *erase*.

*The memory of Washington*—His sainted spirit beckons us to the same field, where he first unfurled the sacred banner of independence.

*The War*—May the God of battles crown it with success.

THE WAR—May its prosecution be as vigorous, as its objects are sacred.

*THE WAR*—Like that of the Revolution, may it serve to strengthen the principles of civil liberty, and add to the happiness and virtue of mankind.

*Washington, Jefferson, Franklin* and *Barlow*—In war, politics, philosophy, and fit nature, four goodly pillars in the great temple of our national character.

*Pike, Lawrence, Ludlow*, and other gallant spirits, who have fallen in defence of their country's rights—Their characters will ever be held in sacred remembrance.

*Our respected fellow-citizen, George Crowninshield*, and his ten worthy associates, whose sympathies prompted them to remove the brave from a foreign land, to the sepulchre of their fathers.

VOLUNTEERS.

By Gen Dearborn—May the state of Massachusetts support, in the present war, the high and dignified character her statesmen, soldiers and seamen, so honorably supported in the glorious contest for our independence—18 cheers.

By the vice-president of the U. States—May justice in Great Britain, moderation in France, and patriotism in the U. States, prevail over avarice, ambition, and party contention, and present *Mars* as a victim on the sacred altar of peace.

By the president of the day—*Our respected fellow-citizen, Gen. Dearborn*—The man who was so well and so deserved beloved by the officers and soldiers of the army lately under his command.

By the same—*The vice-president of the U. States*—A Cato in integrity, a Sidney in intrepidity.

DESERTERS. *From the Baltimore Patriot.*——We have received the following letter in the common and ordinary channel, affording no information as to its author. The enclosure alluded to was actually in the letter. Thus made the stewards of the writer's liberality, for the purposes he mentions, we have no other course to take than to give publicity to his letter:

"SIR—Being of opinion to encourage the troops employed against you to desert, is a justifiable and cheap mode of counteracting the public enemy, sanctioned by common usage, a more moral and humane way of carrying on war, than burning villages, abusing helpless women, killing old men, or even shooting lead or iron bullets into soldiers or sailors, by what is called regiments and armies, viz. men ranked up into rows?

"For these and other reasons that will suggest themselves to you, permit me to request you and all the editors in the U. States, not devoted to the enemy, to introduce into every paper you publish, useful information to men composing the land and sea forces the British have on our coast and frontier; giving them to know that on coming among us, they will be well treated, allowed to follow any business they please, and in any town or place in the U. States they think proper; that deserters will not be given up, nor considered prisoners of war; neither will they be asked to enter into the army or navy of the U. States.

"As these men, on their coming over to us, cannot be well furnished with clothes or money, and as it is a point of interest, as well as honor to the United States, that they should be comfortably provided for on their starting here, let us give the poor fellows a little help.

"*For this, the enclosed one hundred dollar note is sent to you; with a request, that you pay to the ten soldiers or sailors, that first desert from the British in the Chesapeake, ten dollars each.* Should you manage the business well, the donor may have another hundred forth coming, for the same purpose; and if each citizen that can spare some such sum, has it employed in the same way, it is probable we shall soon free our waters of their present troublesome visitors.

"This plan, it is presumed, will be approved of, and supported by the *Quakers*."

The public have now information of the object of our unknown correspondent; and we can only announce that we are ready to comply with the terms of the above offer.

*To the editor of the Buffalo Gazette.*

SIR—I enclose for publication, the subsequent letter of M. T. Simpson, esq. which scarcely needs a comment: such an instance of genuine patriotism is rarely to be found. Mr. S. had nothing to stake on the frontier, his residence is in the interior, and to avoid the imputation of sinister motive, in the praise worthy transaction, the public are informed that he is a "*federalist.*" A SUBSCRIBER.

August 9, 1813.

*Buffalo, July 27*, 1813.

Captain HORATIO JONES,

SIR—In consideration of the gallant defence made by a party of your Indians, in the late attack of the British at Black Rock, I take leave to enclose you one hundred dollars, which I request you will order to be equally distributed among them, and which I hope they will unhesitatingly receive as a proof of the respect I entertain for their brave and efficient exertions, in dispersing the invading enemy. In haste, but very respectfully,

Your most obedient servant.

M. T. SIMPSON, of Penn.

P. S. On reconsideration, I request the above donation may be distributed in proportion to the hazard and exposure of the individual who led the party and showed the best example; to ascertain which I request you will authorise the nicest enquiry.

*From an Alexandria paper, Sept. 1.*

TORPEDOES.—"It appears to be acknowledged on board admiral Cockburn's ship that Mr. Mix's torpedo had *marked* near the Cat head, although it had no ways injured the line of battle ship Plantagenet; and that in the whole fleet there is plentiful abuse of the American government (who in fact gave no sort of patronage or encouragement to its perpetrator or inventor) although it was merely the effusion of an enterprising active young man in the naval service. They unfairly condemn it as a villainous, invidious, improper and cowardly means of warfare (for such are the terms they use in execration of it;) never reflecting, that their ruling administration had paid Mr. Fulton a very handsome stipend for his invention after experiencing its full efficacy upon a designated vessel, and in presence of the lords of the admiralty with many naval characters assembled to view its effect from the Sand-Down Castle of the Cinque port near to Deal and the Downs. They also

forgot lord Grey's recent statement in parliament as to the commuted payment as the then lord of the admiralty which he made Mr. Fulton upon it. (Vide his lordship's speech upon the naval enquiry question, as published in the London Morning Chronicle of May 15th, 1813.) Nor reflecting either that the British ministry has induced the trial of the effect from torpedoes upon the French flotilla at Bologne, a long time after Mr. Fulton's Sandown Castle experiment!"

*From the N. Y. Columbian of August* 31.

One of the torpedoes which was anchored at the Narrows on the 21st of last June, was taken up to be examined on Saturday; the powder was perfectly dry, and the lock in good order. This is an interesting proof that torpedoes can be preserved under water for months.

## MILITARY.

*The North-Western army* will soon consist of at least 4,000 regulars and 3,000 Ohio and Kentucky volunteers.

"The Delaware and Shawanoese Indians on this frontier have turned out about two hundred men who have marched to the relief of gen. Harrison. The Wyandots within our lines, the Senecas and Mingoes have also turned out their disposable force, about two hundred more. The whole intend to continue with the army during the campaign.

JNO. JOHNSTON, Indian Agent.

*Piqua, August* 3, 1813."

*At Fort George*, we learn, we have 6,000 effective men and 500 Indians. Deserters from the enemy come in almost daily; and agree in stating that the British are short of provisions: they also report their force in the neighborhood to be about 2,000 regulars, 5 or 600 militia, and 4 or 500 Indians.

Gen. *Boyd's* letter, inserted in page 418, last volume, should have been dated August 17, instead of "13." We have another account of the same affair, from a private source which states, that an ambuscade being formed near a camp of British Indians, our Indians in front, and the regulars so placed as to cut off the retreat of the enemy—at day light the American Indians gave the war-whoop—the British Indians taking this for a friendly call, came forth, and were within half rifle shot before they discovered the stratagem. They were fallen upon on all sides, and made but little resistance. Seventy-five of them were killed on the spot, and 16 prisoners taken, as represented by gen. *Boyd*. The account further says "six scalps were brought in by our Indians; but this we understand was disapproved of by gen. *Boyd*." *Boyd* says, on the contrary, (see the page above referred to) that they "committed no wanton cruelties on the dead;" and speaks of their humanity as being "conspicuous."

*At Sackett's Harbor* the number of troops is not stated; we presume it is not less than 6,000 men.

Major-general *Wilkinson* arrived at *Sackett's Harbor* on the 20th Aug. His presence has given great confidence to the troops. We believe the secretary of war is at or in the neighborhood of fort *George*.

*From Lake Champlain.* Our naval force on the lake sailed down towards the enemy's lines, about 12 days ago, and discovering that he had added 10 galleys to his force which gave him a decided superiority, they returned to *Burlington*; at which place there were then collected 5,000 regulars, under major gen. *Hampton*——2,000 more were on their march and immediately expected from the eastern states, and several smaller bodies were pushing to that that post from other quarters.

The *Plattsburg* paper confirms all the accounts we have published of the wanton barbarities of the enemy at that place, and adds considerably to the amount of depredations.

*The Creeks.*—The war party is reported to be 3000 strong—the peace party at 1000. The governor of Georgia has went on to the frontiers to prepare for the reception of the military force he had called out; which has marched under the command of brig. gen. *Stewart*.

A letter from *Fort Stoddart*, dated July 29, says "the post rider has been stopped and robbed of his mail, his horse shot under him, and his hat shot off." It appears that several other mails have been taken by the war Creeks. The civil war rages through the whole country.

An account from *New Orleans* of Aug. 2, says that 700 Indians had advanced to the settlements on *Tish* river; but 1000 regulars were in the neighborhood, and it was hoped, might meet them.

It is stated that the secretary of war will locate himself for a while at *Sackett's Harbor*—which gen. *Wilkinson* has probably left before this for *Fort George*. The time of busy action is evidently at hand, at every post—say *Burlington, Sackett's Harbor, Fort George* and *Fort Meigs*. The flotillas are also ready on *Champlain, Ontario*, and *Erie*. And from the prudent and wise measures that appear to be adopted, we calculate on a series of splendid events.

Two hundred newly enlisted recruits were encamped at Winchester, Va. Aug. 21—500 arrived at New-York, on their way to the north, Aug. 26.

Many of the officers of the Ohio Militia, now in the service of the United States, have solicited gov. *Meigs* to take the command of them in person, to which also he has been earnestly invited by general *Harrison*.

"We understand, (says the *National Intelligencer*) that the president has conferred on major GEORGE CROGHAN, *the Brevet rank of lieutenant-colonel* in the army of the United States, to rank from the 2d of August 1813—a day which will ever be conspicuous in the biography of this youthful hero, while it affords a memorable proof of the gallantry and Spartan valor of the little band under his command in the fortress of Sandusky.

## *ATTACK ON SANDUSKY.*

CHILICOTHE, August 12.—In the last gazette, we stated that major Croghan, in consequence of his disobeying an order, to burn and evacuate fort Stephenson, had been succeeded in his command by col. Wells. After the arrival of major Croghan at head-quarters, he gave to the commanding general such satisfactory evidence of his ability to maintain his post, that he was immediately sent back and resumed the command.

On the evening of the 1st inst. the British and Indians who had came up the Sandusky river from the bay, commenced from their boats a heavy cannonading upon the fort, and threw in a great number of shells from their bomb batteries. The enemy continued his operations without success until the evening of the 2d, when after throwing a great number of balls from a six pounder, at the north-west angle of the fort for the purpose of making a breach, a column under the command of lieutenant-colonel Short, advanced to the point on which the artillery had played, with the intention of storming, but the judicious management of major Croghan, foiled the enemy in his attempt. The ditch which surrounded the works was about eight feet wide and of equal depth—this the enemy had to enter before he could approach the pickets, (through the top of each of which a bayonet was driven in a horizontal direc-

tion). While in this situation, the 6 pounder which was masked in a block-house and placed so as to rake the ditch, and a ravine adjacent, poured upon the storming column a tremendous shower of musket balls, which did terrible execution, and so confounded the assailants, that lt. col. Short, who had previously ordered his men to scale the pickets, and *"show the damn'd Yankee rascals no quarters,"* exhibited a white handkerchief as a signal of distress, evincing his disposition to have quarters shewn him, after he had proclaimed that the garrison should be massacred. It was, however, too late—the next discharge proved fatal—he fell—and lieut. Gordon of the 49th regiment died by his side. This was near two hours before sun set. The fire from the block-house was now principally directed at the enemy who had taken refuge in the ravine—the slaughter there was immense, and gen. *Proctor* who commanded in *person*, ordered the allied enemy to retreat to their boats. The greater part of the night was occupied in carrying off the dead and wounded—from the number of trails discovered in the grass it is evident, that not less than fifty of the dead were dragged away. About thirty killed, including the two officers mentioned above, were left in the ditch and ravine, and thirty prisoners, eighteen severely wounded, were afterwards brought into the fort, which the general, in his hurry, left behind. It is a fact, worthy of observation, that not one Indian was found among the dead, although it is known that from three to four hundred were present, under the celebrated captain Elliot. The number of regulars was four hundred and ninety from the 49th regiment. Major Croghan had but one man killed, and seven slightly wounded. His whole force amounted to but 145 effectives.

Major Croghan, who has thus nobly defended, and gallantly defeated the choicest troops commanded by Proctor and Tecumseh, is a native of Kentucky. He is not more than 22 years of age!

BURLINGTON, August 20.—While the British were at Plattsburgh, col. Murray, conversing with some gentlemen, accidentally drew from his pocket, with his handkerchief, a paper which lodged upon the ground. A bye stander observing it, stepped aside of the colonel, and to appearance accidentally dropped his handkerchief, which covered the paper, both were secured. This paper contains a plan of Plattsburg and this town, the situation of this camp, all the bays upon this shore, recommends Shelburn bay, (a few miles south of Burlington) as the best for an army to land, gives all the roads leading from said bay to this village, &c. &c. We understand that on comparison of writing, one Joseph Ackley a citizen of Plattsburg, had been charged with the crime; he for some time denied it, but finally has acknowledged the fact, and that he was to receive one hundred dollars for the plan. Fifty he had received, the remainder was due to him.

He was secured, and immediately sent to Albany.

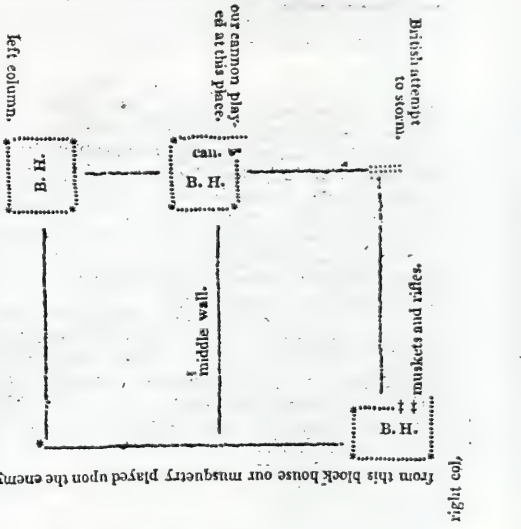
*From the Pittsburg Mercury.*

[The editor of the Mercury has been politely favored by a friend with the following copy of a letter from Dr. Samuel M'Keehan. It details many interesting particulars of the affair at Sandusky, on the 2d inst. not hitherto published. Dr. M'Keehan is the same gentleman who last February was sent by general Harrison with a flag to Malden, who was wounded on his way thither, arrested,—— sent to, and confined in the cells of Montreal, on the pretext of his being engaged in carrying on a secret correspondence. He is a man of unexceptionable character, warmly attached to the cause of his country, and on whose statements the utmost reliance may be placed.]

LOWER SANDUSKY, August 3, 1813.

Yesterday, sun about an hour and an half high, the British to the amount of about 500, with a large body of Indians, attempted to storm this post, aided with six field pieces, playing upon the N. W. corner. In order that you may form some idea of the place, mark the following.

The pickets 18 feet high, bayonets nailed to the sides of the tops with pieces of iron, with their points outwards, a ditch six feet deep and six wide; but not having enough of bayonets, about twenty-five feet of the east side was left destitute of them, as well as of a block-house in the S. E. corner.




The enemy were under the impression, that our piece of artillery, a six pounder, was in the block house, having discovered by the manœuvres of the enemy where they intended to storm.

In twenty-four hours, they had struck our works with upwards of 500 shot; 100 of them, shells, &c. came within the fort, and more than 300 balls struck the place where they attempted to storm, and made considerable havoc among the pickets.

The enemy's middle column came up 15 deep and 150 strong, commanded by lieut. col. Short, sustaining a heavy fire from our muskets; when they came up to the ditch, and saw what was before them, the soldiers stopped; but Short and a lieutenant drove them into the ditch, and followed in quick succession themselves. Col. Short was the first who endeavored to gain the summit of the picketed side; but failed and fell back into the ditch. At this moment, our piece of artillery was let loose about 35 yards from, and upon them. In this fire, Short received a small slug in his body. The terror which took place in consequence of the execution done, together with his own critical and perilous situation, caused him to hoist a white handkerchief on the end of his sword, and cry for quarters: but being enveloped in smoke and dust, our engineers did not see his flag. A second fire carried it away, and drove through his body several slugs, of one and a fourth inch square, and one through his mouth. The enemy gave way in every direction, and left dead, dying and wounded in the ditch 52, including their two officers.

Previous to the attempt to carry the post by storm, colonel Elliott came with a flag, and demanded the surrender of the fort. Ensign Shipp went to meet him; an Indian came up and made an attempt to take off his coat. He drew his sword

and made him stand off, and informed Elliott and Dixon that major Croghan and those under him were determined not to capitulate to a combined British and Indian force. Says Elliott you are a fine young man, but I am sorry for you; our Indians are so numerous, col. Proctor says he will not be able to restrain them in case of obstinacy, and now is the only time mercy can be expected. The insult offered to ensign Shipp attracted the attention of Croghan, who mounted the pickets and, hallowed out, what does that mean? Shipp, come in, and we'll blow them all to hell. Shipp retired, bidding Elliott and Dixon good-bye. At this time the Indians and engineers had advanced within forty steps of the pickets. Croghan ran to the other side and ordered his men to fire, which they did, and killed a lieutenant and some Indians. The contest lasted till sun-set, and with small arms till an hour after dark, and scattering shots till midnight, during which time our people supplied the wounded in the ditch with water, by throwing full canteens over the pickets. They got in all the wounded by 1 o'clock in the morning. From the marks of blood, &c. there could not be less than 200 killed and wounded.

They left 70 muskets, 2000 cartridges, 100 rounds of fixed ammunition, a boat with a considerable number of blankets and clothing, three kegs powder, and a quantity of cannon ball.

CAMP, SENECA, August 5, 1813.

I came up last evening, four of the British are dead and dying last night. Amongst the prisoners here, are a sergeant and corporal who stood guard over me in Canada last winter, and I dressed the wounds of a soldier who took me by the throat.—— They appeared glad to see me, and I know that I was glad to see them here.

Major Croghan *not having a disposable force*, the enemy were enabled to take away most of their killed and wounded (after dark) to their boats. It does appear that the enemy were confident of success, as they came up col. Short was whistling, and the lieutenant swearing. It also seems that they did not intend to be merciful; as the colonel was heard to say, "*press on boys, no quarters.*"

*From the National Intelligencer.*

"We are sorry to perceive that all the accounts hitherto received, concur in representing the conduct of the British on this occasion, as affording ample proof of the characteristic barbarity and the sanguinary disposition of that nation, which has been called by men professing themselves to be *Americans*, the "bulwark of our religion," and the "shield of oppressed humanity." From sources entitled to credit, we learn that when col. Elliott demanded the surrender of the fort, he stated that, unless his demand was promptly acceded to, *a general massacre would ensue.* And when col. Short, who commanded the *British regulars* destined to storm the fort, had formed his troops in a line parallel with the ditch, he ordered them, in the hearing of our men, to leap the ditch, cut down the pickets and give the Americans no quarter. This barbarous order, which none but a savage could give, was not, however permitted to go unpunished; for the words were hardly out of the mouth of the British commander, when the retributive justice of Providence arrested him; and the wretch was obliged to sue for that mercy which he had determined not to extend to others. It may be observed here, in honor of the character of the American soldier, that though our little band were well aware of the fate which the enemy had prepared for them: yet, they were no sooner subdued, than the Americans forgot their crimes in their sufferings; *and the wounded in the ditch, whose groans and constant calls for water were heard by our men in the fort, were supplied with that necessary article, on the night succeeding the discomfiture of the enemy by the generosity of the Americans, who, with considerable hazard, ventured to risk their lives in order to alleviate the sufferings of the very men who had plotted their entire destruction.*"

It may be well still further to impress on the mind, the sublimity of those generous deeds, by stating the fact that the fire upon the fort was yet occasionally kept up; and that the garrison could not possibly discover, *in the night*, the real condition of the enemy. Let the "*shield of humanity*" emulate this example, and furnish us with *one* instance of like hazardous magnanimity, to ameliorate her barbarous conduct. Compare this with the privations suffered by our gallant seamen; and call to memory the starvations on board the *Jersey* prison ship. [ED. REG.

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*Copy of a letter from brig. gen. Boyd to the secretary of war, dated*

HEAD-QUARTERS, FORT GEORGE, August 14.

SIR—I have the honor to report, that at day break this morning, the enemy attacked us at all our picquets, which retired towards the camp, pursued by his advance guards. A skirmish ensued in the village, with little effect upon us; after which he retreated, having come within reach of our cannon, but never within musket shot of our entrenchments. One captain of the 49th and a few privates have been brought in prisoners. We lost two men and a few wounded; the enemy left about 15 dead on different grounds. He is supposed to have brought his whole force into the field; but finding our position so strong desisted from a general attack. Sir George Prevost was in person at the attack. His force is withdrawn out of our reach into his strong holds.

I have the honor to be, sir, your respectful obedient servant,

JOHN P. BOYD, B. G. C.

*Hon. John Armstrong, secretary at war.*

*Copy of a letter from col. William Russel to governor Thomas Posey, dated Vincennes, July 25, 1813.*

SIR—I have completed my intended scout, and reached every point of destination, and arrived at this place in four weeks. On our route we had much rainy weather and consequently high waters, which destroyed much of our provisions, and made the route much more disagreeable than otherwise it would have been.—The route from this place until we returned amounts to upwards of 500 miles, the greater part of which is certainly equal (if not superior) to any tracts of country upon the western waters; all of which lies in your territory. We proceeded from Vallonia to the Delaware towns, from thence to the Mississinawa towns, there we found four or five distinct villages; one pretty strongly fortified, adjoining which a very considerable encampment of Indians had been kept up, all of which we destroyed. We supposed the Indians had evacuated those towns very early in the spring.——From thence we proceeded down the Wabash to Eel river town, from thence to Winemack village, from thence to the Prophet's town, from thence we re-crossed the Wabash, and took the Winebagoe town in our route to Fort Harrison. We went to every place where we could expect to fall in with the enemy (that our situation would justify) as our provisions were then very short and our horses much fatigued.

I had a part of six companies of rangers and a few volunteers from the territory, and was joined by one hundred volunteers of Kentucky—when I found our force was 573 effective men. The army marched in

five distinct columns, with instructions how the front the rear and the flanks were to act in case of an attack on either. The right flank was commanded by general Cox of the Kentucky volunteers; the extreme left was commanded by col. Evans, of the Indiana territory; the other column on the right was commanded by general Thomas of the Kentucky volunteers, the other column on the left was commanded by col. Wilson of this territory, and the centre by maj. Z. Taylor of the U. S. army; all those officers discovered so much zeal for the success of the expedition, as convinced me they would have done themselves credit had we encountered the enemy.—Col. Bartholomew acted as my aid-de-camp; this veteran has been so well tried in this kind of warfare, that any encomiums from me would be useless—major J. Allen from Kentucky, acted as quarter-master, Mr. Hancock Taylor, as quarter-master sergt. maj Harden acted as adjutant, and Homer Johnson of the rangers as his assistant. All those gentlemen acted with such promptitude as gave me but little trouble, and that only to check their zeal on certain occasions—gen. Clever of Kentucky, commanded the advanced party, and acquitted himself much to my satisfaction.—I find also in the Kentucky corps several professional and other characters of high standing—which are deserving of their country; from the zeal of the officers and privates I entertain great hopes that they will render considerable service to their country. The volunteers from the territory were principally men of experience in Indian warfare, consequently capable of rendering service.

Messrs. Barron and Laptant, your Indian interpreters, accompanied us as guides, assisted by lieut. Cascelle, who were always on the alert, and discharged the duties assigned them with great promptitude.

Such was the disposition of the army, and happy should I have been, could they have had an opportunity of realizing the high expectations I entertained of them.

I have the honor to be, with high respect, your obedient servant, WILLIAM RUSSEL.

P. S. Col. Bartholomew and lieut. Shields (of captain Peyton's company of rangers) volunteered and crossed through the country from below the Prophet's town to the Ohio, in two places; from this you will discover, that the country has been completely chequered in all directions—and strange to tell, saw no fresh sign of Indians.

*Extract of a letter from col. William Russel of the 7th regiment U. S. army to gov. Posey, dated Vincennes, August 4, 1813.*

On my return from the Mississinawa, I found the Indians had got in small parties on this side of the Wabash, between this place and the mouth of White river. Those two rivers for some distance up, are skirted with prodigious swamps and brush, which afforded them a complete shelter, I despatched rangers in different directions in order to drive them out, the citizens also assembled and assisted to chequer the country—some of the Indians had got possession of some horses and were making off.—They were pursued by capt. Dubois, and a party of men, who overtook them and recovered three horses, but did not get sight of an Indian—captain John Andre of the rangers volunteered his services to follow them, he went on with 16 or 18 rangers. He was also joined by captain Dubois, and Mr. Barron your interpreter, together with a Potawatomy Indian that resides with Mr. Barron; they soon discovered a trail of horses making out from the settlement, which they pursued, and soon overtook a spy that was kept in the rear; they pushed on and dispatched him, which gave notice to those in front who left their horses and fled with great precipitation—and from the nature of the country could not be followed; they got from this party also 5 horses—the party returned on the 24 inst. Capt Dubois and Mr. Barron are active men; captain Andre is also a very brave active and enterprising man. I hope this friendly Indian will in future prove serviceable, as I am told nothing can exceed his activity in the woods particularly on a trail.

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Camp Meigs, August 4, 1813.

*General orders.* Col. Mills, with a portion of his command, as also that of major Pitzer, having honorably served out the period for which they were called into the service of their country; are hereby discharged and permitted to return to their respective homes. Events not within the control of the present commander in chief of this army, or of our government, has rendered it necessary that the militia of the western states should compose a considerable portion of the north western army. OHIO stands conspicuous for the great zeal and promptness with which her citizens have yielded the comforts of private life, for the toils and privations of the camp. In the return of the present detachment of Ohio troops to their families and homes; it is due to Ohio and her sons, to record their honorable services.

To col. *Mills*, and major *Pitzer*, their staff and respective commissioned and non-commissioned officers and privates, whose term of service has expired, and to whose promptness in discharge of every duty he has been an eye witness—the commanding general tenders his sincere thanks.

In their return to domestic life they will be cheered by the reflection that they have toiled in a good cause—the cause of our country.—Nor will that country be unmindful of those who have been foremost to avenge her wrongs.

By order of G. Clay, com. gen.
J. H. HAWKINS, Aid de camp,

*Head-quarters, Camp Ohio Freemen, U. Sandusky, August 10, 1813*

His excellency the commander in chief, acknowledges with satisfaction, the ready zeal of the different corps, who have with so much spirit and alacrity marched to the frontiers on the present emergency, to repel an invading enemy.

The seige at fort Meigs is abandoned: The allied enemy have again retired. They had the audacity to attack our post at Lower Sandusky, and vainly attempted to carry it by storm. The garrison with unusual gallantry have relieved themselves. The enemy have learnt wisdom from their presumption and will not meet our armies equal in the field.

The invasion which hastened the march of the troops to the frontiers, having terminated in a total defeat, the commander in chief will retain a portion under his immediate command, subject to any future emergency, and improves the first opportunity to dismiss a number of the different corps now in service.

On this, as on all other occasions, they have exceeded his expectations, and entitled themselves to the honor and gratitude of their country.

For their patriotic ardor, obedience to orders, and continued manifestations of respect, he returns his sincere thanks. He further assures them that they will not be called, but to protect their own frontiers, and to aid the general government in pursuance of the requisitions that may be made for the common defence.

His excellency orders an honorable discharge of

the mounted men in gen. Manary's brigade under the command of col. Dunlap.

They will deposit their public arms and munitions of war with col. Moses Byxbee, at Delaware, or with the quarter-master-general at Franklinton.—The contractors will furnish the necessary supplies or provisions on their return.

By order of the commander in chief,
JESUP N. COUCH, Aid-de-camp.

## "BRITISH OFFICIALS"

HEAD-QUARTERS, *Kingston, August* 4, 1813.

By accounts received from his excellency the governor and chief and commander of the forces, from commodore sir James Yeo, dated off York, at half past one P. M. on the 11th inst. the following particulars have just been transmitted, of the capture and destruction of four of the enemy's armed schooners.

On Tuesday evening last, the 10th instant, the enemy's squadron, under commodore Chauncey, got under way from their anchorage off the mouth of the Niagara river, and, with a fine breeze from the eastward stood towards our fleet, which was becalmed off the port at Twelve Mile Creek. At sun-set, a fine breeze coming off the land, gave us the wind of of the enemy, when our squadron stood for them, on which they immediately bore away from us under as much sail as the schooners could carry to keep up with the larger vessels. The enemy's fleet formed a long line; the Pike, Madison, Oneida, and six schooners; two schooners being placed to windward, for the purpose of raking the masts of our squadron, as they should come up. At eleven o'clock, got within gun-shot of the schooners, when they opened a brisk fire, and from their going so fast, it was more than an hour before the Wolf, our headmost ship, could pass them.

At this time the rest of the squadron was between two and three miles astern of the Wolf, and on her coming up with the Madison and Pike, they put before the wind and made sail, firing their stern chase guns. Sir James Yeo, finding it impossible to get the squadron up with the enemy, as the Wolf was the only ship which could keep up with them, made sail between them and the two schooners to windward, which he captured and which proved to be the Julia and Growler, each mounting one long thirty-two and one long twelve pounder. Two of the enemy's largest schooners, the Scourge of 10 and the Hamilton of 9 guns, upset on the night of the 9th inst. in carrying sail to keep from our squadron, and all on board perished, in number about one hundred.

By the loss and capture of the two schooners the enemy's squadron has been reduced to ten vessels, and ours increased to eight. It is ascertained that the Pike mounts 28 long 24 pounders, and has a complement of 420 men, and that the Madison mounts 22, 32 pound carronades, with 340 men.—Nine boat loads of troops were taken on board the squadron on Monday, for the purpose it is supposed of repelling boarders.

The Wolfe has not received any material damage, and not a man was hurt on board. The prisoners were landing from her on the 11th inst. and the damages of the Growler were repairing. She had lost her bowsprit and was otherwise much cut up.

Nothing could exceed the eagerness and enthusiasm manifested by the officers and men serving on board our squadron, for a close engagement with the enemy, and the only apprehension and regret expressed by all were, that their opponents though superior guns and weight of metal, and men, would be too wary to afford them the opportunity of terminating by a decisive action the contest to ascendency of the lake.

*Ogdensburg, August* 11.

A flag crossed from Ogdensburg to Prescott on Friday last. The commanding officers politely sent the following handbill across: which was handed to us for publication.

*Kingston Gazette Office, 5th Aug.* 1813.

The following account of the enemy's late visit to York is published by authority.

At 11 o'clock on Saturday morning, the 31st ult. the enemy's fleet, consisting of 12 sail, were seen standing for the harbor—about half past 4, the Pike, the Madison and Oneida, came to anchor in the offing—the schooners continuing to pass up the harbor, with their sweeps—about 4 o'clock three of them came to near the town, and the remainder near the garrison, and immediately afterwards several boats full of troops landed at the garrison, and proceeded from thence to the town, of which they took possession.

They then opened the jail, liberating the prisoners, and taking three soldiers confined for felony. They then went to the hospitals and paroled the few men that could not be removed. They next entered the stores of major Allen and Mr. St. George, and seized the contents, consisting chiefly of flour, the same being private property. Between 11 and 12 o'clock on Saturday night, the three schooners which had anchored abreast of the town, towed out, and it was supposed that the fleet would have sailed immediately—but information having been given by some traitors, whose names it is hoped will be discovered, that valuable stores had been sent up the river Don, the schooners went up the harbor on Sunday morning, the troops were again landed, and 3 armed boats proceeded up the Don, in search of the stores. In consequence however of the very meritorious exertions of a few young men, amongst whom were two by the name of Platter, every thing was conveyed away, and the boats sunk before the enemy reached the place. Two or three boats containing trifling articles, which had been hid in the marsh were discovered and taken, but in their main object, the enemy was completely disappointed. As soon as the armed boats had returned, the troops went on board, and by sunset both sailors and soldiers had evacuated the town, the barracks, wood yard, and store houses on Gibraltar Point, having been first set on fire by them, and at day light on the following morning, the enemy's fleet sailed.

The troops which were landed were acting as marines, and appeared to be all they had on board the fleet, and did not exceed 240 men.—They were under the command of com. Chauncey and lieut. col. Scott, an exchanged prisoner of war on his parole, both of whom landed with the troops. The town upon the arrival of the enemy was totally defenceless, the militia were still on parole, and the principal gentlemen had retired from an apprehension of being treated with the same severity used towards several of the inhabitants near Fort George, who had been made prisoners and sent to the United States. Lt. col. Battersby, with the troops under his command, had upon the first appearance of the enemy's fleet off York on the 29th, proceeded from thence with his guns to Burlington heights, where he had joined major Maule, and concentrated his force on the following evening. The enemy had, during the course of the day, landed from the fleet 300 men near Brandt's house, with an intention of storming the heights, which they hoped to carry, but finding maj. Maule well prepared to receive them, and being apprized of lieut. col. Battersby's march, they re-embarked and stood away for York.

The plunder obtained by the enemy upon this predatory expedition has been indeed trifling, and the loss has altogether fallen upon individuals, the public stores of every description having been removed; the only prisoners made by them being confined felons and invalids in the hospital. We are sorry to be obliged to observe that there is too much reason to believe that the enemy was furnished with exact information respecting the movements of our troops, and of the state of York and the position at Burlington heights from traitors amongst ourselves, from men too who are holding public situations in the country, and whose names, we trust, when correctly known, will lead to their conviction and punishment, and hold them up to the just detestation of every loyal subject of his majesty.

10 o'clock A. M.—We stop the press to lay before our readers the British official account of the capture of the public property at Plattsburg:

*Head-Quarters, Kingston, 8th August*, 1813.

His excellency the commander of the forces, has received from major-general sir Robert Sheaffe, a despatch conveying the official report of lieut. col. Murray, detailing the operations of a combined movement on lake Champlain, which took place on the 29th July. The objects of this service have been fully accomplished by the total destruction of all the enemy's arsenals, block houses, barracks and stores of every description at Plattsburg, Swanton and Champlain town, and the extensive barracks at Saranack, capable of containing 4000 men, have been burnt. All naval, ordnance and other stores on the west side of the lake, have been destroyed or carried away.

His excellency has received from capt. Everard of the royal navy, to whose prompt zealous and able assistance, his excellency feels highly indebted, a report, informing him that after having co-operated in the complete accomplishment of the service above stated, he proceeded with his majesty's sloops Brooke and Shannon, and a gun-boat to Burlington, where he found the enemy's flotilla, superior in force, moored under the protection of a high bank, on which were placed a numerous artillery, supported by a strong body of regular and other troops, under major-general Hampton, who was reported to have collected all the troops in the vicinity of the lake, amounting to about 5000.

Capt. Everard proceeded 20 miles above Burlington, captured and destroyed four vessels within sight of the enemy's armed ships, when finding that they could not be induced to venture from a position in which it was impracticable to attack them, and every object of the service being fully achieved, he returned with the armed vessels to the isle Aux Noix on the 14th inst.—The land forces under lieut. col. Murray having arrived the day preceding.

EDWARD BAYNES,
Adjutant-General.

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*Extract of a letter, dated St. Louis, July* 19.

"One of our gun boats under lieutenant Campbell was attacked a few days ago on the Illinois river by a large party, received but little injury—three men wounded. They had no cannon to destroy the Indian canoes. The boat left them after the 3d attack, which was made by the lieut. Our rangers have skirmishes every day or two with small parties of Indians. Fort Madison has been attacked the second time, only 2 men killed and 1 wounded on our side."

*The enemy on the southern coast.* The following memorandum (says a Charleston paper of the 25th ult.) was made upon the back of the Beaufort post-bill, received by yesterday's southern mail:

Aug. 22.—We are all under arms here—two British 18 gun brigs came within Port Royal bar last evening and are now at anchor.

Endorsed upon the way-bill, received from Well's post-office, Beaufort district:

"Aug. 23.—The British effected a landing on Hilton Head, (ten miles from Beaufort) with about 100 men yesterday morning, and is supposed to be preparatory to an attack to-day—I am now on my way with a portion of the 10th regt.

WM. HUTSON WIGG, major commandant.

NAVAL.

Com. *Rodgers*. It is stated on the authority of a gentlemen of Kent island, at whose house admiral *Warren* held his quarters, that he had received despatches from *Halifax* on the 22d ult. which stated that com. *Rodgers* had fallen in with the homeward bound Jamaica fleet, destroyed eighteen sail of them and manned two others (one of them a valuable packet) for the United States, both which were retaken the next day, "A 90 gun ship and 2 frigates had been sent after him, and, it was said, they had information of having twice been within 18 hours sail of him.

*President* and *Congress frigates*.—A letter received in New York from Carthagena, via St. Bartholomews', says—"The United States' frigates President and Congress are off the coast of Carthagena, at which place it was reported on the first of July, that the former had taken the British frigate Theseus, with specie; and the latter three British brigs from the Brazils, the crews of which had arrived at Barbadoes." [The Theseus is rated a 74 in Steel's list. The *Thetis* frigate mounts 38 guns which must be the vessel alluded to.]

*A razee*.—We have often heard of the things called *razees*, that the enemy conjured up to retrieve his lost honor. The *Majestic* (razee) has arrived at *Halifax*, prepared for the purpose of fighting the U. S. frigates President or Constitution: she carries on the lower deck 28 32 pounders long guns, 38 42lb carronades and 2 brass 12 pounders—by which it appears her weight of metal is nearly, or quite, double that of our heaviest frigates; and her strength is equally proportionate.

*The Ontario Fleet*.—The Sylph, pierced for 24 guns, and carrying 20, of the burthen of 340 tons, schooner rigged, was built and ready for service in "*thirty-three days from the stump*." An instance of expedition, perhaps, unknown to the history of shipbuilding. She accommpanied the fleet in the cruise which commenced on the 21st August. A fine brig is also nearly ready for the lake.

On the 14th of Aug. com. Chauncey sailed from Sackett's Harbor and fell in with the enemy's squadron, of whom, after a good deal of manœuvring, he got the weather gage—the *British* then bore away, and he chased them to *Kingston*. Our fleet then returned to port and sailed again on the 21st, the Sylph in company. But it was thought the enemy would not give them a chance of the combat so earnestly desired by the officers and crews.

It is positively stated that the two schooners were captured for want of obedience to orders; perhaps, by having too much eagerness to meet the foe. We are sorry to learn that two or three lieutenants have tendered their resignations to com. *Chauncey*, to take effect *after the hoped for fight* with com. *Yeo*; in consequence of supposing themselves overlooked in the late promotions. It is agreed upon, that our gallant commodore never yet had the power to bring the enemy to action—his vessels, in general, sailing much better than ours. The Sylph, however, is a valuable auxiliary in the business of catching the foe. The British official statement, as their "officials" gene-

rally are, is full of arrant falsehoods—see it in page 11. It seems there was only one man killed on board the schooners captured. They carried together 8 guns. Those lost, the Hamilton and Scourge, mounted, in all, 17 guns. The following is the present comparative statement of the force on the lake:

AMERICAN.

| | |
|---|---|
| General Pike | 34 |
| Madison | 24 |
| Sylph | 20 |
| Oneida | 18 |
| Duke of Gloucester* | |
| Gov. Tomkins | 6 |
| Conquest | 3 |
| Ontario | 2 |
| Asp | 2 |
| Fair American | 2 |
| Pert | 2 |
| Lady of the Lake | 2 |
| Raven | 1 |
| GUNS | 116 |

BRITISH.

| | |
|---|---|
| General Wolfe | 32 |
| Royal George | 22 |
| Earl Moira | 16 |
| Prince Regent | 14 |
| General Simcoe | 12 |
| Seneca | 4 |
| GUNS | 100 |

To these may be added the Growler of 5 guns and the Julia of 3 guns, captured from us—they also have some gun boats, at *Kingston*.

The General Pike has her main battery of long 24 pounders—the Wolfe carries only carronades.

The British are building a 40 gun frigate at *Kingston*, and, as it is said, two sloops of war. They are reported to be in great forwardness; and we anticipate that sir *James Lucas Yoe*, will avoid a battle, if possible, until they are finished. It appears however, as though they may be attacked in the harbor, a land force assisting.

CHILICOTHE, Aug. 24.

*Extract of a letter from capt. Richardson, dated head-quarters, Senaca Towns, Aug* 18, 1813.

I am just arrived in camp; and before the mail closes have only time to inform you, that on the morning of the 12th inst. I sailed from Erie, in the brig Lawrence, with com. Perry, and arrived off Sandusky bay on the evening of the 15th, together with the following vessels:

Brig Lawrence, commodore O. H. Perry 20 guns.
Brig Niagara, captain J. D. Elliot, 20 guns.
Brig Caledonia, Purser H. Magrath, 3 do.
Schr. Ariel, lieut. John Packet, 3 do.
Sloop Trippe, lieut. Jos. E. Smith, 1 do.
Schr. Tygress, lieut. A. C. Conklin, 1 do.
Schr. Somers, S. M. Thomas Almy, 2 do.
Schr. Scorpion, S. M. St. Champlin, 2 do.
Schr. Ohio, S. M. Dan'l Dobbins, 1 do.
Schr. Porcupine, Midshipman G. Senat, 1 do.

Upon our arrival at Sandusky bay a British sail was discovered at anchor near one of the islands by a pilot boat which was sent out. Signal for chase was made immediately, and I discovered that our vessels in general sail one third faster than those of the enemy. This took place just before sun set, and by dark commodore Perry had arrived almost within gun-shot of the enemy's schooner: one hour more day light, and she would have been captured. A very severe storm came on, and for fear of getting the squadron separated we anchored for the night. I start at reveillee in the morning to accompany the general down to the fleet.

WASHINGTON CITY, Sept. 12.

Letters have been received from gen. HARRISON, dated at Seneca Town the head-quarters of the north-western army, as late as the 22d ult. at which time all was well. Gen. Harrison had just returned from a visit to com. Perry, who had arrived with his fleet, 10 sail, off Sandusky bay.

A Savannah paper of August 15, says—We are informed by a gentleman in this city, that the Baltimore letter of marque schooner Siro, of 18 guns, is expected to cruise between Charleston and Tybee bars, after her short cruise is finished—now nearly out.

CONTRASTS.—*Admiral Cockburn* stole a coach from a private individual at *Havre de Grace*, a defenceless and unoffending village. *Captain Bainbridge* gave up to *lieut. gen. Hyslop*, all his private property, among it a valuable box of *plate*, fairly won in fight with *Java* frigate. *Decatur* gave to capt. *Carden* of the Macedonian, all things he claimed as his own; and among them several casks of fine wine—the dying *Lawrence* was refused a drop of that which belonged to his private stores!——The barbarians!—See page 5.

The British cartel brig Agnes, that had been detained some days at Portland by the marshal, *escaped* on the night of the 18th ult. the extreme darkness of which did not, however, prevent the fort from saluting her, and several shot are supposed to have told, but she got off. The cause of this singular procedure is unexplained. One report says that she was detained in consequence of information having been given to the marshals of the U. States that a certain British officer had broken his parole; and that they were looking for him.

Several British vessels of war were in sight from *Salem*, on the 25th ult. They had captured some small craft.

The Anaconda, late a privateer, captured by the *British* in North Carolina, is fitted out and commissioned by the enemy. It is said she forms a part of the squadron in the Chesapeake.

The British, from two brigs, landed on *Dewees'* island, on the coast of South Carolina, where they committed all possible depredation on the property of the inhabitants, leaving them destitute of every necessary, destroying what they could not carry away, though they did not burn the houses.

*Norfolk, Aug.* 27.—On Tuesday last a party of men from the Plantagenet, 74, and another from the Dotterel, (18 gun brig) captain Darnel, went ashore on Cape Henry beach to haul the seine, when six of the latter and one of the former, pretending to catch some pigs that were feeding in the bushes, took to their heels and made off. They were fallen in with by a guard of our militia who conducted them to town. Their reason for deserting, they stated, without any hesitation, to be, their abhorrence of the practice of impressment, for which they were compelled to fight against a nation who were opposing it.

These men say that the neutral vessels that have passed out to sea, supplied the squadron with newspapers, smoking from the press, and every other information they could obtain relative to our strength, dispositions of force, &c. and that they were occasionally supplied with all the delicacies of the season, by small vessels that came off for the purpose.

* We understand that this vessel is now called the *York*. She was fitted out, but found too weak to carry heavy guns, and is dismantled. Her rate was 10 guns.

One of these petty traitors, after he had sold his cargo at enormous prices, cut several holes in his mainsail, to shew when he went home, that he had been fired at and compelled (sorely against his will!) to go along-side of one of the enemy's ships. They further state that the two 74's and two frigates which came down the bay, went to sea, and, as they learnt, were bound to Halifax to bring provisions to the Chesapeake squadron; and that a 74 and a frigate came in about the same time and went up the bay. The whole force below consists of the Plantagenet, Dotterel and a tender.

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*Extract of a letter from capt. John H. Dent, commanding naval officer at Charleston, (S. C.) dated August 21, 1812.*

"Sir—I have the honor to inform you that the privateer schooner Decatur, of this port, arrived here yesterday, with H. B. M. schooner Dominica, her prize.

She was captured on the 15th inst. after a most gallant and desperate action of one hour, and carried by boarding, having all her officers killed or wounded except one midshipman. The Dominica mounts 15 guns, one a 32-pounder on a pivot, and had a complement of 88 men at the commencement of the action, sixty of whom were killed or wounded.

She was one of the best equipped and manned vessels of her class I have ever seen. The Decatur mounts seven guns, and had a complement of 103 men at the commencement of the action, nineteen of whom were killed and wounded.

"I have the honor to be with the greatest respect, your most obedient servant, JOHN H. DENT.

"Hon. Wm. Jones,
*Secretary of the navy.*

Charleston, August 21.

Relation of the battle between the American privateer *Decatur*, armed with six 12lb carronades, and one 18 pounder on a pivot, with 103 men, commanded by captain Dominique Dihon; and H. B. M. schooner *Dominica*, of twelve 12lb carronades, two long 6's, one brass 4 lb. and one 32-lb. carronade on a pivot, with 88 men, commanded by lieut. George Wilmot Barrette—carried by boarding.

On the 5th of August, 1813, lat. 23, 4 north long. —, standing north—at half past ten in the morning, the man at the mast head discovered two sail to the southward—at 11 these vessels were ascertained to be a ship and a schooner—at half past 11, went about and stood towards them, in order to reconnoitre—at half past 12 found ourselves abreast of the schooner, which hoisted English colours; at 1, the Decatur wore round; half an hour after the schooner fired a shot, without effect; the captain then gave orders to prepare every thing for action, to load all the cannon and musquetry, to have the grapplings, swords, &c. and having previously got up the necessary ammunition, water &c. from below, ordered the hatches to be fastened down.—At 2 o'clock, the schooner having wore ship in order to take the schooner abaft, she fired another shot and passed over us; at a quarter past 2 we fired our large gun and hoisted American colors at the peak; we fired our piece a second and third time; which she answered by firing two guns from her battery; our distance was now about half gun shot; it was now half past two o'clock; the schooner evinced a desire to bear away; observing this the Decatur hauled upon the larboard tack, in order to present her bow to the enemy; 10 minutes after the enemy fired a whole broadside, which caused no other damage to the Decatur, than some trifling injury to the rigging. After having answered her by a shot from our 18 pounder, the captain of the Decatur ordered every one to his post, in order to carry her by boarding when the necessary preparations were made for that purpose; it was now about three-quarters past 2, the distance about pistol shot—the crew of the Decatur having cheered preparatory to boarding, our fire of musquetry commenced and was very well kept up; the enemy bearing away in order to avoid the boarding, seized the opportunity to fire a broadside into us, which killed two of our men and otherwise materially injured our rigging and sails. The Decatur continued to follow up the manœuvres of the enemy, endeavored again to board her, which she once more avoided and fired another broadside. The captain of the Decatur having ordered the drum to beat the charge, the crew cried out to board. At that moment endeavored again to board her, which the enemy could no longer resist, and which was effected by passing into her stern over our bowsprit, our jibboom running into her mainsail. It was now half past 3—the fire from the artillery and musquetry was terrible, and well supported on both sides. The enemy not being able to disengage himself, dropped alongside; and it was in this posttion that capt. Diron ordered his whole crew to board, armed with pistols, sabres, &c. which order was executed with the promptness of lightning—Mr. Vincent Safifih, 1st prize-master, and quarter-master Thomas Wasborn, were the two first on board of the enemy; in doing which the prize-master received three wounds; the crew of the enemy fought with as much courage and bravery as that of the Decatur did with valor and intrepidity. Fire-arms now became useless, and the crews were fighting hand to hand with cutlasses, and throwing cold shot; when the captain of the enemy and the principle officers being killed, the deck covered with dead and wounded, the English colors were hauled down by the conquerors. In consequence of the orders given by the captain of the Decatur, the vessels were then separated, the rigging and the sails being in the worst state possible.

During the combat, which lasted an hour, the King's Packet Princess Charlotte, remained a silent spectator of the scene, and as soon as the vessels were disengaged from each other she tacked about and stood to the southward. She had sailed from St. Thomas, bound to England, under convoy, to a certain lattitude, of the Dominica.

*Killed and wounded on board the Decatur.*

Killed 4—wounded 15—one of whom (the carpenter) since dead.

*On board the Dominica.*

Killed, 13—wounded, 47—5 of whom are since dead of their wounds.—Total killed and wounded, 60.—Among the killed are G. W. Barrette, commander; Mr. J. Sacker, master; Mr. D. Brown, purser; Mr. Archer and Mr. Parry, midshipmen—wounded, Mr. J. Nichols, midshipman. The surgeon and one midshipman were the only officers on board who were not killed or wounded. The lieut. was on shore, sick.

*Remarks of the Charleston Courier.*

From the above statement it would appear that this engagement has been the most bloody, and the loss in killed and wounded on the part of the enemy, in proportion to the number engaged, perhaps the greatest to be found in the records of naval warfare. The surviving officers of the Dominica attribute the loss of their vessel to the superior skill of the Decatur's crew in the use of musquetry, and the masterly manœuvering of that vessel, by which their

carriage guns were rendered entirely useless. Capt. BARRETTE was a young man, of not more than 25 years of age; he had been wounded early in the action by two musket balls in the left arm, but he fought till the last moment, refusing to surrender his vessel, although he was urged by the few survivors of his crew to do so; declaring his determination not to survive her loss. One of the lieutenants of the Decatur received a severe sabre wound in the hand from capt. B. a few moments before he fell.—Capt. DIRON is a Frenchman, and most of the officers and crew of his vessel are his countrymen; they have done themselves immortal honor by their humanity and attention towards their prisoners after victory, which are spoken of in high terms of approbation, by the surviving officers of the enemy's vessel.

The crew of the *Dominica*, with the exception of 8 or 10 boys, were fine looking young men; but to see them in the mangled state in which they arrived was enough to freeze the blood of one not accustomed to such sights, with horror. Among her crew is a small boy, not eleven years old, who was twice wounded, while contending for victory upon her deck.

The *Dominica* is the vessel that captured the privateer schooner *Providence*, of Rhode-Island, some months since, in the West-Indies; and it was remarked to us by one of her officers, as she was coming up the harbor yesterday, that the American ensign and pennant which were then flying over those of Britain, were the ones which belonged to the *Providence* when captured by them.

The day after capturing the schr. the *Decatur* fell in with, and captured without any action, the British ship *London Trader*, from Surinam bound to London, with a cargo consisting of 209 hhds. of sugar, 140 tierces of molasses, 55 hhds. rum, 706 bags coffee, about 50 or 60 bales cotton, and some other articles. She anchored in five fathom hole yesterday.

There never was a greater instance of good fortune than that experienced by these vessels, in the moment of their arrival on the coast—had they got here one day sooner, they would have stood a great chance to have fallen into the hands of the enemy's brigs, which had been cruising some time off here, and which had passed the bar and stood to the southward, with the wind at N. E. on Thursday morning. The *Decatur*, with her prizes, made the land near Georgetown on the same day, and running down the coast that night, were directly off the bar yesterday morning.

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*Copy of a letter from capt. Blakely, forwarded by capt. Hull to the navy department.*

United States brig Enterprize,
Portsmouth, N. H. 29th Aug. 1813.

SIR—I have the honor to report to you the capture of the British privateer schooner the Fly, she was captured yesterday afternoon off cape Porpoise after a chase of eight hours.

Very respectfully, &c.
(signed) J. BLAKELY.

ISAAC HULL, esq. commanding
U. S. Naval forces on the eastern
station, Portsmouth, New Hampshire.

BLOCKADE OF NEW LONDON.

The blockading squadron on the 24th ult. consisted of 4 74's, 1 frigate, and 2 smaller vessels. Com. Hardy is removed from that station and the command devolves on capt. Oliver, of the Valiant. A New-York paper of the 30th says, that on the day preceding a small fleet of coasters and fishermen had arrived there from New London, the entrance of the harbor having been cleared, of the enemy's ships and barges, by the dread of torpedoes or commodore Decatur's boats. Some large gallies or barges, to carry heavy guns, are building at *New London* to cruise in the Sound, and meet the barges of the enemy.

BLOCKADE OF THE DELAWARE.

The enemy remains inactive in the *Delaware*, where his force consists only of a frigate and two or three smaller vessel.

BLOCKADE OF THE CHESAPEAKE.

By accounts from the Eastern shore of Maryland, it appears that sir *John B. Warren* had an *electioneering* as well as a military object. We are assured that the officers of distinction talked much of their love of *peace*; advising the people, most pointedly, to elect such men as would seek it of *England*. The amiable *Cockburn* deplored the unnatural war, attributing it to "*French influence*," &c. and swearing vengeance at *Baltimore* as the fountain of opposition to his government. We have heard those things in so many ways, that we cannot refuse implicit credit to them. As facts, they ought to be remembered.

Like the locusts of Asia, "whose browsing may be heard a great distance like an army foraging," the enemy have left *Kent* island naked and bare. The whole moveable property of the people (that of a favored few expected) was consumed and wasted or wantonly destroyed. The poorer classes of the people are destitute of every thing; without a mouthful of provisions or an article of furniture or clothing, save what they had on their backs. The destruction has no parallel in the events of latter times, but in the proceedings of the same *barbarians* in *India*.—The beds of the people were uniformly ripped open, and the feathers scattered to the winds—and their bedsteads, looking-glasses, clocks, bureaus, &c. &c. broke or hacked to pieces. This island furnished Baltimore, Annapolis, &c. with great quantities of poultry, but it is said the stock is literally *exterminated*; and of horned cattle, sheep or hogs, none remain but a few solitary animals, venerable for their years, to shew how things once were!—*Kent Island* is fertile, and before the late invasion contained from 100 to 120 families.

*Rifle-barrelled cannon.*—The enemy officers, in our bay, on many occasions, have expressed their astonishment at the precision with which the Americans use their great guns and small arms. They speak of the discharges from *Craney Island* with wonder; declaring they never before witnessed such dreadful effects; and think it very strange that a large portion of their men, killed in the predatory excursions, have come to their death by wounds in the *head*, "past all surgery."

Two regiments of *Baltimore* county militia yet remain encamped on the heights near the city; they have made excellent progress in discipline. The additional works for the defence of the place are prosecuted with unceasing activity. The flotilla of barges and gun-boats, under commodore *Barney*, will be a very respectable establishment.

*Progress of the enemy.*—The British, in *fifty-three* barges, went to attack *St. Michaels* on the morning of the 26th, and then—went back again; after stealing a little as usual. About 700 hardy fellows were prepared to give them a *yankee* reception. The desertion of their men, for many have come in and, *it is said*, nearly 100 left them in this expedition, may have hastened their departure. (☞ To a sort of a mutiny, or pretty general determination of the troops to desert, while in *Kent* Island, which *is said* to have been discovered to general *Beckwith* by a "*well inclined*" citizen of the island, to whom the *Englishmen* had trusted their secret, supposing it

safe, is also attributed their leaving that place. If this be true, we shall hear more of it.] After the expedition against *St. Michaels* was given up, the whole fleet went down the bay. They were supposed to be below the *Potomac* on the 30th, proceeding towards the sea, one or two vessels excepted, suspected of being in the "*slave trade*."

## American Prizes.

WEEKLY LIST—CONTINUED FROM PAGE 340. VOL. IV.

"The winds and seas are Britain's wide domain,
"And not a sail, but by *permission* spreads!"
*British Naval Register.*

518. "His majesty's" schr. Dominica, 15 guns and 88 men, captured by the privateer Decatur of Charleston, of 7 guns and 103 men, after a desperate action. See the account, page 14. The Dominica has arrived at Charleston.

519. Ship London trader, 2 guns, from Surrinam for London, sent into ditto by ditto, laden with 209 hhds. sugar, 140 tierces of molasses, 55 hhds. rum, 700 bags coffee, 50 or 60 bales of cotton, and some other articles. It may be here worthy to remark, that the late act of congress reducing the duty on prize goods, acts as a *bounty* on this cargo, as follows—say

| | |
|---|---|
| 209 hhds. sugar, 12 cwt. each, 2½ cents per lb. - - - - - - - - | $ 6,220 |
| 140 tierces molasses—100 gallons each, 5 cents per gallon - - - - - | 700 |
| 55 hhds. rum—115 galls. do. 28 cents. pr. g. | 1,771 |
| 700 bags of coffee—120 lbs. each, 5 cents | 4,200 |
| Three cents per lb. might also be estimated upon cotton; but as it goes to a bad market, we shall not take it into the account. | |
| *Whole reduction of duties, or bounty for the capture* - - - - - - - - | $12,891 |

520, 521, 522, 523, 524. Brigs Good Intent, Venus, Happy, barque Reprisal, and schooner Elizabeth, captured by the Snap Dragon, of North Carolina and destroyed or given up. The privateer when last seen, had in company the brig Ann, from England for Nova Scotia, with a full cargo of cloths, cassimeres, &c. valued at $500,000.

525. Privateer Fly, —— guns, captured by the U. S. brig Enterprize, and sent into Portsmouth.

☞ *The Yankee's cruize.* May 20, left Newport. May 23, re-took brig William, (re-cap.) 30th, took brig Thames, 14 guns, worth $180,000 dollars, arrived, see no. 452. June 22, close in with Ireland, took the cutter sloop Earl Camden, valued at 10,000 dollars—ordered for France. 30th, took brig Elizabeth, 2 guns, laden with cotton, valued at $40,000—ordered for France. Same day, took brig Watson, with cotton, valued at $70,000—ordered for France. *July* 1, took schooner Ceres, her valuables removed, and given up to release the prisoners on parole. 2nd, Ireland in sight, took brig Mariner, laden with rum, sugar, &c. worth $70,000—ordered her for France. 23d, after many fruitless attempts to manifest her friendly character, the Yankee engaged, and soon captured the Spanish ship New Constitution, of six 42 pounders and two 12's—overhauled her papers and permitted her to proceed. Boarded several other Spanish and Swedish vessels, and arrived at Providence, R. I. August 19. We have yet to learn the fate of her valuable prizes ordered for France. The Yankee had not a man killed or wounded during her cruise.

526. Schooner Ceres, captured by the Yankee, as above.

527. Barque Henrietta, sent into Beaufort, N. C. by the Snap Dragon, of Newbern.

528. Brig Ann, —— —— with a cargo of dry goods, worth $500,000, captured by the Snap Dragon, and the most valuable part of the cargo taken on board the privateer, which has safely arrived at Beaufort. The brig and one other prize taken by the S. Dragon, is yet to be heard of.

## "Patriots."

Within a few years past we have had many *sorts* of "Patriots"—Spanish patriots—Portuguese patriots—Prussian patriots—Russian patriots—Turkish patriots—and *Cossack* patriots. One other kind of *patriots* was yet wanting, and we find *them* (WHERE ALL "PATRIOTISM" FIRST BEGINS) in a *London* ministerial paper—they are SAVAGE "PATRIOTS"—Speaking of the *Indians*, it says—"with *patriotism* that "would do honor to men who pretend to be more "enlightened, they joined the tomahawk and the "scalping knife to the bayonet and sword, and "swelled the *British* shout of victory with the yell "of the *Indian* war whoop!"

Now *these patriots* are just like all other "*patriots*" of *British* or *anglo-American* manufacture——and *made* in the same way, by *purchase*. If the *British* had not tempted the savages by the price of *six dollars* for every *scalp*, whether of *man*, WOMAN or CHILD, they would have been quiet.

## THE CHRONICLE.

We have a report that appears entitled to credit, that 7000 Swedish troops are expected in the West Indies, to make *neutral* islands of *Guadaloupe*, and *St. Martins*, and their dependencies; those islands being ceded to Sweden by the British.

A *Shark*, nearly nine feet long and weighing about 500 pounds, was taken in Fly-market-slip, N. York, last week.

## POSTSCRIPT.

*Copy of a letter from capt. John H. Dent, commanding officer at Charleston, (S. C.) dated August 26, 1813.*

"SIR—I have the honor to acquaint you, that I received a letter express last night from Mr. Jenkins, commanding the St. Helena militia, stating that the enemy's two brigs, Colibri and Charybdis, got under way on Monday morning, with an intention of proceeding to sea, when the wind shifted to the eastward; and in attempting to beat over the bar, one of them (supposed to be the Colibri) grounded on Cold Scare Reef, and in a short time after bilged and became a complete wreck.

The crew was taken off by the other, which now lies about 5 miles from Bay Point, waiting a wind to proceed to sea.

Major Jenkins states that they landed twice at the plantation of Mr. Pope's and took one of his large canoe off, with some provisions.

It appears their object in entering Port Royal was principally to sound the bar, and roadstead, which they have effected, as their boats were seen in that service the whole time they were at anchor.

The officers who delivered major Jenkins' letter further states, that the wreck had entirely gone to pieces, and a great part drifted on shore—among which are her boats and the stolen canoe.

"I have the honor to be, with great respect, your most obedient servant. JOHN H. DENT.

"*Hon. Wm. Jones, secretary of the navy.*"

# THE WEEKLY REGISTER.

No. 2 OF VOL. V.] BALTIMORE, SATURDAY, SEPTEMBER 11, 1813. [WHOLE NO. 106.

*Hæc olim meminisse juvabit.*—VIRGIL.

Printed and published by H. NILES, South-st. next door to the Merchants' Coffee House, at $ 5 *per annum.*


## Law of U. S.—Direct Tax.

[This law, either for present information or general reference, is important. We have inserted the several sums levied, in *figures* instead of *letters*, as well for the sake of easier comparison, as to save room.]

An act to lay and collect a direct tax within the United States.

*Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That a direct tax of three millions of dollars shall be and is hereby laid upon the U. States, and apportioned to the states respectively, in the manner following:

| STATES. | *Dols.* | *Cts.* | STATES. | *Dols.* | *Cts.* |
|---|---|---|---|---|---|
| N. Hampshire | 96,793 | 57 | Maryland | 151,623 | 94 |
| Massachusetts | 316,270 | 93 | Virginia | 369,018 | 44 |
| Rhode-Island | 34,702 | 18 | Kentucky | 168,928 | 76 |
| Connecticut | 118,167 | 71 | Ohio | 104,150 | 14 |
| Vermont | 98,343 | 71 | N. Carolina | 220,238 | 28 |
| New-York | 430,141 | 62 | Tennessee | 110,086 | 55 |
| New-Jersey | 108,871 | 83 | S. Carolina | 151,905 | 48 |
| Pennsylvania | 365,479 | 16 | Georgia | 94,936 | 49 |
| Delaware | 32,046 | 25 | Louisiana | 28,295 | 11 |

Sec. 2. *And be it further enacted,* That the quotas or portions payable by the states respectively shall be laid and apportioned on the several counties and state districts of the said states, as defined with respect to the boundaries of the said counties and state districts by an act, entitled "An act for the assessment and collection of direct taxes and internal duties," in the manner following:

*In the state of New-Hampshire.*

| COUNTIES. | *Dols.* | *Cts.* | COUNTIES. | *Dols.* | *Cts.* |
|---|---|---|---|---|---|
| Rockingham | 25,293 | 89 | Cheshire | 19,318 | 3 |
| Stafford | 17,693 | 66 | Grafton | 11,910 | 43 |
| Hillsborough | 20,219 | 16 | Coos | 2,348 | 20 |

*In the state of Massachusetts.*

| COUNTIES. | *Dols.* | *Cts.* | COUNTIES. | *Dols.* | *Cts.* |
|---|---|---|---|---|---|
| Washington | 2,623 | 59 | Norfolk, | 15,629 | 88 |
| Hancock | 9,190 | 65 | Plymouth | 14,478 | 67 |
| Lincoln | 13,672 | | Bristol | 14.469 | 16 |
| Kennebeck | 9,696 | 52 | Barnstable | 6,553 | |
| Somerset | 3,504 | 65 | Dukes | 1,173 | 33 |
| Oxford | 5,559 | 60 | Nantucket | 4,924 | 31 |
| Cumberland | 15,787 | 99 | Worcester | 30,171 | 71 |
| York | 14,165 | 3 | Hampshire } | | |
| Essex | 41,643 | 1 | Franklin } | 29,634 | 5 |
| Middlesex | 26,433 | 45 | Hampden } | | |
| Suffolk | 43,676 | 83 | Berkshire | 13,273 | 57 |

*In the state of Vermont.*

| COUNTIES. | *Dols.* | *Cts.* | COUNTIES. | *Dols.* | *Cts.* |
|---|---|---|---|---|---|
| Windham | 11,867 | 85 | Bennington | 8,390 | 12 |
| Windsor | 15,542 | 32 | Rutland | 14,036 | 89 |
| Orange | 11,784 | 5 | Addison | 10,079 | 11 |
| Caledonia | 7,643 | 84 | Grand Isle | 1,553 | 37 |
| Orleans | 2,128 | 10 | Franklin | 5,890 | 40 |
| Essex | 1,197 | 96 | Chittenden | 8,229 | 70 |

*In the state of Rhode-Island.*

| COUNTIES. | *Dols.* | *Cts.* | COUNTIES. | *Dols.* | *Cts.* |
|---|---|---|---|---|---|
| Providence | 14,560 | | Kent | 4,295 | |
| Newport | 8,056 | | Bristol | 2,395 | 18 |
| Washington | 5,394 | | | | |

*In the state of Connecticut.*

| COUNTIES. | *Dols.* | *Cts.* | COUNTIES. | *Dols.* | *Cts.* |
|---|---|---|---|---|---|
| Litchfield | 19,065 | 72 | New-London | 13,392 | 4 |
| Fairfield | 18,810 | 50 | Middlesex | 9,064 | 20 |
| New-Haven | 16,723 | 10 | Windham | 14,524 | 38 |
| Harford | 19,603 | 2 | Tolland | 6,984 | 69 |

*In the state of New-York.*

| COUNTIES. | *Dols.* | *Cts.* | COUNTIES. | *Dols.* | *Cts.* |
|---|---|---|---|---|---|
| Suffolk | 9,030 | | Herkimer | 7,090 | |
| Queens | 9,250 | | Oneida | 13,300 | |
| Kings | 6,930 | | Lewis | 1,960 | |
| City & county of N. Y. | 109,230 | | Jefferson | 4,610 | |
| | | | St. Laurence | 3,000 | |
| West Chester | 13,120 | | Otsego | 11,690 | |
| Duchess | 24,140 | | Chenango | 6,120 | |
| Orange | 15,000 | | Madison | 7,430 | |
| Rockland | 2,680 | | Tioga | 1,930 | |
| Ulster | 10,670 | | Broome | 1,990 | |
| Sullivan | 2,450 | | Steuben | 1,770 | |
| Scoharie | 5,690 | | Onandago | 7,860 | |
| Columbia | 14,600 | | Cortland | 2,170 | |
| Renselaer | 15,190 | | Cayuga | 9,290 | |
| Washington | 15,651 | 62 | Seneca | 5,000 | |
| Saratoga | 9,830 | | Ontario | 14,270 | |
| Essex | 2,700 | | Genessee | 4,080 | |
| Clinton | 2,280 | | Niagara | 3,190 | |
| Franklin | 770 | | Alleghany | 470 | |
| Albany | 19,420 | | Richmond | 2,220 | |
| Schenectady | 4,100 | | Greene | 7,850 | |
| Montgomery | 16,420 | | Delaware | 5,490 | |

*In the state of New-Jersey.*

| COUNTIES. | *Dols.* | *Cts.* | COUNTIES. | *Dols.* | *Cts.* |
|---|---|---|---|---|---|
| Bergen | 7,027 | 30 | Burlington | 11,929 | 36 |
| Essex | 9,909 | 8 | Gloucester | 8,823 | 63 |
| Somerset | 7,233 | 28 | Monmouth | 10,204 | 12 |
| Middlesex | 9,182 | 52 | Cumberland | 4,357 | 16 |
| Sussex | 11,022 | 73 | Salem | 6,528 | 17 |
| Morris | 8,818 | 29 | Cape May | 1,584 | 41 |
| Hunterdon | 12,251 | 78 | | | |

*In the state of Pennsylvania.*

| COUNTIES. | *Dols.* | *Cts.* | COUNTIES. | *Dols.* | *Cts.* |
|---|---|---|---|---|---|
| City of Philadelphia | 79,500 | | Washington | 6,920 | |
| | | | Alleghany | 5,210 | |
| Philadelphia | 38,230 | | Armstrong | 1,250 | |
| | | | Westmoreland | 5,440 | |
| Chester | 18,270 | | Indiana and Jefferson | 1,320 | |
| Delaware | 7,050 | | Centre | 3,150 | |
| Montgomery | 15,300 | | Clearfield } | | |
| Bucks | 16,600 | | Potter } | 300 | |
| Lancaster | 37,400 | | M'Kean } | | |
| York | 11,540 | | Luzerne, having the same limits as before the formation of the counties of Susquehanna & Bradford. | 2,720 | |
| Adams | 5,450 | | | | |
| Northampton | 11,140 | | | | |
| Wayne | 2,640 | | | | |
| Berks | 21,550 | | | | |
| Dauphin | 17,650 | | | | |
| Cumberland | 10,300 | | | | |
| Franklin | 9,000 | | | | |
| Northumberland | 7,580 | | Lycoming having the same limits as before the formation of the co'ty of Bradford. | 2,500 | |
| Mifflin | 3,500 | | | | |
| Huntingdon | 3,070 | | | | |
| Bedford | 2,610 | | | | |
| Somerset | 2,000 | | | | |
| Cambria | 400 | | | | |
| Fayette | 4,500 | | | | |
| Greene | 3,130 | | | | |

| | | | |
|---|---|---|---|
| Tioga | 389 16 | Crawford | 1,260 |
| Mercer | 1,710 | Venango, Warren | 800 |
| Butler | 1,500 | Erie | 780 |
| Beaver | 2,510 | | |

*In the state of Delaware.*

| COUNTIES. | Dols. Cts. | COUNTY. | Dols. Cts. |
|---|---|---|---|
| New-Castle | 12,908 8 | Sussex | 9,156 6 |
| Kent | 10,682 7 | | |

*In the state of Maryland.*

| COUNTIES. | Dols. Cts. | COUNTIES. | Dols. Cts. |
|---|---|---|---|
| Somerset | 5,540 | Anne Arundle | 9,810 |
| Worcester | 4,910 | Prince George | 7,390 |
| Dorchester | 5,510 | Calvert | 2,410 |
| Talbot | 4,140 | St. Mary | 3,050 |
| Queen Anne | 5,630 | Charles | 6,740 |
| Caroline | 2,250 | Montgomery | 5,110 |
| Kent | 4,213 94 | Frederick | 14,170 |
| Cecil | 5,950 | | |
| Harford | 5,350 | Washington | 7,370 |
| City & county of Balt. | 48,670 | Alleghany | 2,210 |

*In the state of Virginia.*

| COUNTIES. | Dols. Cts. | COUNTIES. | Dols. Cts. |
|---|---|---|---|
| Lee | 347 50 | Dinwiddie and town of Petersburg, | 8,192 50 |
| Washington | 1,894 50 | Prince George | 2,988 50 |
| Grayson | 233 50 | Greenville | 2,635 50 |
| Russell | 1,336 | Sussex | 3,915 50 |
| Wythe | 1,538 50 | Southampton | 4,656 50 |
| Tazewell | 1,227 | Surry | 2,244 50 |
| Botetourt | 3,114 50 | Isle of Wight | 2,658 50 |
| Montgomery | 1,312 50 | Nansemond | 3,203 50 |
| Giles | 540 50 | County and borough of Norfolk | 9,857 50 |
| Monroe | 1,030 50 | Princess Anne | 2,417 50 |
| Green Briar | 1,650 44 | Elizabeth City | 839 50 |
| Kenhawa | 2,167 50 | Warwick | 855 50 |
| Cabell | 1,546 50 | York | 1,373 50 |
| Mason | 1,130 50 | James City | 1,525 50 |
| Randolph | 5,465 50 | New-Kent | 2,567 50 |
| Harrison | 2,672 50 | Charles City | 2,154 50 |
| Wood | 1,538 50 | Henrico | 8,030 50 |
| Monongalia | 2,992 50 | Goochland | 4,555 50 |
| Ohio | 1,907 50 | Hanover | 6,049 50 |
| Brooke | 1,195 50 | Amherst, Nelson | 9,513 |
| Bath | 2,305 50 | Albemarle | 9,497 50 |
| Pendleton | 1,428 50 | Fluvanna | 2,151 50 |
| Hardy | 2,126 50 | Orange | 5,2[illegible]6 50 |
| Hampshire | 3,795 50 | Madison | 4,247 50 |
| Rockbridge | 3,391 50 | Culpepper | 3,692 50 |
| Augusta | 6,739 50 | Fauquier | 3,940 50 |
| Rockingham | 6,162 50 | Prince William | 3,231 50 |
| Shenandoah | 5,978 50 | Stafford | 3,379 50 |
| Frederick | 11,876 50 | Loudon | 8,130 50 |
| Berkley, Jefferson | 13,022 50 | Fairfax | 6,354 50 |
| Bedford | 5,233 50 | Spottsylvania | 6,260 50 |
| Patrick | 770 50 | Louisa | 4,425 50 |
| Henry | 1,304 50 | Caroline | 7,164 50 |
| Franklin | 2,004 50 | King George | 2,756 50 |
| Campbell | 3,852 50 | Westmoreland | 3,514 50 |
| Charlotte | 4,090 50 | Richmond | 2,624 50 |
| Pittsylvania, | 4,363 50 | Northumberland | 3,016 50 |
| Halifax | 6,786 50 | Lancaster | 1,954 50 |
| Mecklenberg | 6,866 50 | King William | 3,454 50 |
| Lunenberg | 3,821 50 | King and Queen | 2,860 50 |
| Brunswick | 4,879 50 | Essex | 2,536 50 |
| Nottoway | 4,322 50 | Middlesex | 1,951 50 |
| Prince Edward | 4,414 50 | Gloucester | 3,397 50 |
| Buckingham | 5,741 50 | Matthews | 1,621 50 |
| Cumberland | 4,715 50 | Accomac | 5,139 50 |
| Amelia | 5,092 50 | Northampton | 3,257 50 |
| Powhatan | 3,899 50 | | |
| Chesterfield | 6,440 50 | | |

*In the state of North Carolina.*

| COUNTIES. | Dols. Cts. | COUNTIES. | Dols. Cts. |
|---|---|---|---|
| Currituck | 2,204 86 | Sampson | 2,951 39 |
| Camden | 2,462 95 | Brunswick | 1,983 68 |
| Pasquotank | 3,493 96 | Bladen | 2,702 83 |
| Perquimons | 2,170 85 | Columbus | 1,235 16 |
| Gates | 2,134 20 | Cumberland | 5,638 84 |
| Chowan | 2,642 70 | Robeson | 3,323 14 |
| Hartford | 2,956 13 | Chatham | 4,337 83 |
| Bertie | 5,267 27 | Lincoln | 5,652 65 |
| Martin | 2,335 12 | Mecklenburg | 5,463 63 |
| Northampton | 6,760 88 | Cabarras | 2,645 70 |
| Halifax | 7,720 97 | Buncomb | 2,860 48 |
| Washington | 1,850 | Haywood | 806 18 |
| Tyrrel | 1,391 48 | Burke | 2,764 92 |
| Hyde | 2,386 65 | Rutherford | 3,917 53 |
| Pitt | 3,496 42 | Surry | 3,397 81 |
| Edgecombe | 6,066 89 | Wilkes | 1,807 28 |
| Beaufort | 2,824 65 | Ashe | 724 34 |
| Green | 1,645 94 | Tredell | 3,812 61 |
| Craven | 5,557 65 | Montgomery | 2,875 3 |
| Carteret | 1,373 12 | Richmond | 2,383 39 |
| Jones | 2,238 70 | Anson | 2,724 27 |
| Lenoir | 2,178 90 | Moore | 2,397 92 |
| Johnston | 3,263 15 | Orange | 7,366 50 |
| Wayne | 3,034 35 | Wake | 6,443 54 |
| Franklin | 4,576 95 | Person | 2,851 57 |
| Nash | 2,988 33 | Rockingham | 3,962 47 |
| Granville | 6,444 39 | Caswell | 4,067 99 |
| Onslow | 2,234 11 | Guildford | 4,491 66 |
| Warren | 5,525 55 | Stokes | 3,842 38 |
| New-Hanover | 6,690 11 | Rowan | 8,872 13 |
| Duplin | 3,237 71 | Randolph | 2,764 95 |

*In the state of Ohio.*

| COUNTIES. | Dolls. Cts. | COUNTIES. | Dolls. Cts. |
|---|---|---|---|
| Ross | 3,817 49 | Muskingum | 1,547 49 |
| Highland | 875 21 | Pickaway | 1,202 85 |
| Clinton | 491 31 | Belmont | 1,171 41 |
| Madison | 401 37 | Adams | 1,433 41 |
| Champaign | 812 61 | Clermont | 1,697 88 |
| Greene | 1,517 14 | Hamilton | 2,875 79 |
| Delaware | 691 72 | Miami | 421 10 |
| Franklin | 1,573 90 | Preble | 256 52 |
| Tuscarawas | 495 88 | Butler | 1,357 12 |
| Knox | 400 32 | Athens | 272 3 |
| Columbiana & Stark | 2,687 42 | Gallia | 502 57 |
| | | Portage | 1,464 65 |
| Jefferson | 1,988 42 | Geuaga | 852 21 |
| Warren | 2,699 14 | Cayahoga | 518 54 |
| Sciota | 412 27 | Trumbull and Ashtabulla | 2,270 4 |
| Lacking | 789 13 | | |
| Guernsey | 237 44 | Fairfield | 1,924 61 |
| Montgomery | 1,556 1 | Fayette | 283 15 |
| Washington | 1,742 9 | | |

Which several quotas on the counties of the state of Ohio are exclusive of the taxes on lands lying in the said counties respectively, and owned by persons not residing in the state.

And on lands owned by persons not residing in the state, 61,529 dol. 91 cts.

*In the state of Kentucky.*

| COUNTIES. | Dols. Cts. | COUNTIES. | Dols. Cts. |
|---|---|---|---|
| Clarke | 4,816 83 | Campbell | 1,359 44 |
| Estill | 354 12 | Boone | 1,089 31 |
| Montgomery | 2,658 95 | Gallatin | 1,146 3 |
| Bath | 1,212 92 | Franklin | 4,691 16 |
| Fleming | 2,448 89 | Bourbon | 7,174 26 |
| Greenup | 874 96 | Nicholas | 11,325 70 |
| Floyd | 665 60 | Mason | 5,311 9 |
| Fayette | 14,385 28 | Bracken | 1,235 3 |
| Jessamine | 3,305 97 | Lewis | 657 64 |
| Woodford | 4,707 30 | Livingston | 1,361 89 |
| Scott | 4,449 37 | Caldwell | 1,397 58 |
| Harrison | 2,943 10 | Christian | 3,476 1 |
| Pendleton | 721 60 | Breckenridge | 972 11 |

| | | | |
|---|---|---|---|
| Ohio | 1,263 25 | Bullitt | 1,019 43 |
| Muhlenburg | 1,236 60 | Jefferson | 8,635 88 |
| Henderson | 1,302 96 | Henry | 2,003 71 |
| Hopkins | 916 90 | Shelby | 5,431 10 |
| Union | 706 91 | Lincoln | 3,852 68 |
| Barron | 3,344 12 | Rockcastle | 560 55 |
| Warren | 3,101 9 | Knox | 1,318 22 |
| Logan | 4,212 91 | Pulaski | 1,262 82 |
| Butler | 592 33 | Wayne | 1,343 6 |
| Cumberland | 1,702 6 | Adair | 1,808 68 |
| Mercer | 5,885 54 | Casey | 701 20 |
| Garrard | 3,423 30 | Harden | 2,383 56 |
| Madison | 4,933 56 | Nelson | 5,104 98 |
| Clay | 522 37 | Washington | 3,853 40 |
| Grayson | 520 | Greene | 2,544 94 |

Which several quotas on the counties of the state of Kentucky are exclusively of the taxes on lands lying on said counties respectively and owned by persons not residing within the state.

And on lands owned by persons not residing within the state. 18,493 dollars 51 cents.

The assessment on and distribution among the said lands, of which sum shall be made any provision in any law to the contrary notwithstanding by the assessor of that district in the said state, which includes the town of Frankford, from the list of said lands, as entered for the payment of taxes with the auditor of public accounts of the state of Kentucky, in the year 1811, and from such other information as he may be able to obtain; and on failure to pay the said tax in the manner provided by the laws of the United States, the sale of the said lands being previously advertised according to said laws, shall be made by the collector of that district, which includes the said town at the capitol therein.

*In the State of South Carolina.*

| DISTRICTS | *Dolls. Cts* | DISTRICTS | *Dolls. Cts.* |
|---|---|---|---|
| Charleston | 47,580 | Chester | 1,870 |
| Colleton | 12,989 27 | Laurens | 2,250 |
| Beaufort | 15,420 73 | Newberry | 2,280 |
| Barnwell | 2,730 | Fairfield | 2,800 |
| Orangeburgh | 5,650 | Lancaster | 980 |
| Lexington | 2,050 | Kershaw | 3,850 |
| Richland | 3,700 | Sumter | 6,030 |
| Edgefield | 5,570 | Chesterfield | 1,970 |
| Abbeville | 4,900 | Darlington | 2,130 |
| Pendleton | 2,170 | Georgetown | 11,280 |
| Greenville | 1,405 48 | Horry | 1,060 |
| Spartanburg | 2,270 | Marion | 3,910 |
| Union | 1,750 | Williamsburg | 2,300 |
| York | 1,560 | Marlborough | 1,330 |

*In the state of Tennessee.*

| COUNTIES. | *Dolls. Cts.* | COUNTIES. | *Dolls. Cts.* |
|---|---|---|---|
| Washington | 2,492 | Overton | 2,725 |
| Sullivan | 2,205 | White | 1,944 |
| Greene | 3,127 | Warren | 2,765 |
| Hawkins | 2,461 | Franklin | 2,767 |
| Carter | 1,349 | Bedford | 3,981 |
| Cooke | 1,659 | Lincoln | 2,948 |
| Knox | 3,200 75 | Sumner | 6,669 |
| Jefferson | 2,353 17 | Davidson | 7,539 |
| Sevier | 1,480 | Williamson | 6,333 |
| Blount | 2,846 | Rutherford | 4,958 |
| Grainger | 2,060 | Wilson | 5,773 |
| Claiborne | 1,545 | Maury | 5,003 |
| Anderson | 1,275 | Giles | 2,196 |
| Campbell | 859 | Hickman | 1,247 |
| Roane | 1,797 | Humphries | 730 |
| Bledsoe | 1,049 | Stewart | 2,058 38 |
| Rhea | 806 | Dickson | 2,181 |
| Smith | 5,626 | Montgomery | 3,874 |
| Jackson | 2,609 | Robertson | 3,511 |

*In the state of Georgia.*

| COUNTIES. | *Dolls. Cts.* | COUNTIES. | *Dolls, Cts.* |
|---|---|---|---|
| Chatham | 19,315 35 | Greene | 3,712 32 |
| Bryan | 951 75 | Lincoln | 1,473 12 |
| Liberty | 3,058 14 | Wilkes | 4,682 51 |
| M'Intosh | 1,678 45 | Elbert | 3,295 47 |
| Glynn | 2,754 23 | Franklin | 1,647 72 |
| Camden | 1,667 41 | Oglethorp | 3,708 63 |
| Wayne | 252 8 | Jackson | 1,967 44 |
| Effingham | 856 | Clark | 2,024 1 |
| Bullock | 641 88 | Morgan | 2,021 55 |
| Tatnall | 470 90 | Laurens | 475 88 |
| Scriven | 1,350 16 | Pulaski | 664 |
| Burke | 3,601 67 | Wilkinson & Telfair | 569 33 |
| Richmond | 6,804 87 | | |
| Jefferson | 2,188,78 | Twiggs | 886 58 |
| Washington | 2,565 5 | Baldwin | 3,010 19 |
| Montgomey | 670 16 | Jones | 1,570 27 |
| Columbia | 3,766 42 | Putnam | 2,750 73 |
| Warren | 2,335 11 | Randolph now called Jasper | 2,508 49 |
| Hancock | 4,019 73 | | |

*On the state of Louisiana.*

| PARISHES. | *Dolls. Cts.* | PARISHES. | *Dolls. Cts.* |
|---|---|---|---|
| Orleans | 10,657 55 | St. Helena | 351 10 |
| St. Bernard | 236 40 | St. Tammany | 236 40 |
| Plaquemine | 375 15 | Point Coupee | 1,799 22 |
| Charles | 1,167 77 | Concordia | 508 82 |
| St. John the Bap. | 809 90 | Warren | 191 60 |
| St. James | 899 90 | Ouachita | 331 70 |
| Ascension | 637 86 | Rapids | 1,009 48 |
| Assumption | 495 45 | Avoyells | 214 88 |
| La Fourche, inter. | 452 | Catahoula | 141 80 |
| Ibberville | 580 50 | Nachitoches | 1,079 45 |
| West Baton Rouge | 385 51 | St. Landrey | 1,201 4 |
| Feliciana | 1,383 41 | St. Martin | 1,003 18 |
| E. Baton Rouge | 1,154 | St. Mary | 589 15 |

Sec. 3. *And be it further enacted*, That the amount of taxes which by virtue of the provisions of the act for the assessment and collection of direct taxes and internal duties, and of this act, should be laid and collected on *non-residents'* lands, so called, in the state of Kentucky and Ohio shall be ascertained and levied in the same manner and at the same rates respectively, as they were by the laws of those states in the year eighteen hundred and eleven; and lands in that year entered for taxation as non-residents' lands, which since that time may have been sold and transferred to residents, or where the owners of such lands may have become residents, and have had their lands entered for taxation, as residents, the tax on the same shall be collected as the tax on non-residents' lands. *Provided*, in all cases where sales and transfers shall have been made as aforesaid, or where non-residents have become residents, if they reside on the lands formerly entered as non-residents' lands, they shall have notice from the collector, as in other cases of residents. And if the amount thus laid, shall in either of the said states exceed or fall short of the amount fixed by this act as the quota to be laid on non-residents' lands in said states respectively, the difference shall, in the next ensuing direct tax laid by the authority of the United States, be deducted from or added to the quota of such state, as the case may be.

Sec. 4. *And be it further enacted*, That the said tax shall be assessed and collected in the manner provided, and by the officers to be appointed under and by virtue of the act aforesaid, entitled "An act for the assessment and collection of direct taxes and internal duties:" *Provided*, That there shall be appointed in the state of Ohio six additional collectors, who shall collect the tax due from non-resident proprietors of lands in the said state, shall have the same districts assigned them by the secretary of the treasury, reside at the same places which are or may

be designated for similar officers under the state authority, and in other respects shall be under the same rules and regulations, be subject to the same penalties and forfeitures as are provided by the above recited act.

Sec. 5. *And be it further enacted,* That the principal assessors shall issue their precepts to the assistant assessors for the purpose of carrying into effect this act on the first day of February next, and the assessments shall have reference to that day.

Sec. 6. *And be it further enacted,* That each state may vary by an act of its legislature, the respective quotas imposed by this act on its several counties or districts, so as more equally and equitably to apportion the tax hereby imposed, and the tax laid by this act shall be levied and collected informity with such alterations and variations, as if the same made part of this act, provided that an authenticated copy thereof be deposited in the office of the secretary of the treasury prior to the first of April next; in which case it shall be the duty of the said secretary to give notice thereof to the proper principal collectors in each state.

Sec. 7. *And be it further enacted,* That each state may pay its quota into the treasury of the United States, and thereon shall be entitled to a deduction of fifteen per centum if paid before the tenth day of February next, and of ten per centum if paid before the first day of May, in the same year: *Provided,* That notice of the intention of making such payment be given to the secretary of the treasury one month prior to such payment, and in case of payment so made he shall give notice thereof to the principal assessors and collectors of such state; and no further proceeding shall thereafter be had under this act in such state.

Sec. 8. *And be it further enacted,* That if either the states of Ohio or Louisiana shall pay its quota according to the provisions of the preceding section, the legislatures thereof shall be, and they are hereby authorised and empowered to collect of all the purchasers of public lands, under any law of the United States, a just and equal proportion of the quota of said states respectively, the compact between the United States and the said states to the contrary notwithstanding.

H. CLAY,
Speaker of the House of Representatives.
E. GERRY,
Vice President of the United States, and
President of the senate.

*August* 2, 1813.

Approved,
JAMES MADISON.

## Jefferson on weights and measures.

LETTER FROM THE SECRETARY OF STATE TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

*New-York, July* 4, 1790.

SIR,—In obedience to the order of the house of representatives, of January 15th, I have now the honor to inclose you a report on the subject of measures, weights and coins. The length of time, which intervened between the date of the order and my arrival in this city, prevented my receiving it, till the 15th of April: and an illness, which followed soon after, added, unavoidably, some weeks to the delay; so that it was not till about the 20th of May that I was able to finish the report. A desire to lessen the number of its imperfections, induced me still to withhold it awhile, till, on the 15th of June, came to my hands from Paris, a printed copy of a proposition made by the bishop of Autun, to the national assembly of France, on the subject of weights and measures: and three days after I received through the channel of the public papers, the speech of sir John Riggs Miller, of April 13th, in the British house of commons, on the same subject. In the report, which I had prepared, and was then about to give in, I had proposed the latitude of 38° as that which should fix our standard; because it was the medium latitude of the United States: but the proposition before the national assembly of France, to take that of 45°, as being a middle term between the equator and both poles, and a term which might consequently unite the nations of both hemispheres, appeared to me so well chosen, and so just, that I did not hesitate a moment to prefer it to that of 38°. It became necessary, of course, to reform all my calculations to that standard—an operation, which has been retarded by my other occupations.

These circumstances will, I hope, apologize for the delay which has attended the execution of the order of the house: and perhaps a disposition, on their part, to have due regard to the proceedings of other nations, engaged on the same subject, may induce them still to defer deciding ultimately on it, till their next session. Should this be the case, and should any new matter occur in the mean time, I shall think it my duty to communicate it to the house, as supplemental to the present report.

I have the honor to be, with sentiments of the most profound respect, sir, your most obedient, and most humble servant.

THOMAS JEFFERSON.

To the speaker of the house of representatives.

*The secretary of state, to whom was referred, by the house of representatives, to prepare and report a proper plan or plans for establishing uniformity in the currency, weights, and measures of the United States, in obedience thereto, makes the following*

REPORT.

To obtain uniformity in measures, weights and coins, it is necessary to find some measure of invariable length, with which, as a standard, they may be compared.

There exists not in nature, as far as has been hitherto observed, a single subject or species of subject, accessible to man, which presents one constant and uniform dimension.

The globe of the earth itself, indeed, might be considered as invariable in all its dimensions, and that its circumference would furnish an invariable measure: but no one of its circles, great or small, is accessible to admeasurement through all its parts: and the various trials, to measure definite portions of them, have been of such various result, as to shew there is no dependence on that operation for certainty.

Matter then, by its mere extension, furnishing nothing invariable, its motion is the only remaining resource.

The motion of the earth round its axis, though not absolutely uniform and invariable, may be considered as such for every human purpose. It is measured obviously, but unequally, by the departure of a given meridian from the sun, and its return to it, constituting a solar day. Throwing together the inequalities of solar days, a mean interval, or day, has been found, and divided, by very general consent, into eighty-six thousand four hundred equal parts.

A pendulum, vibrating freely, in small and equal arcs, may be so adjusted in its length, as, by its vibrations, to make this division of the earth's motion into eighty-six thousand four hundred equal parts, called seconds of mean time.

Such a pendulum, then, becomes itself a measure of determinate length, to which all others may be referred, as to a standard.

But even the pendulum is not without its uncertainties.

I. The difficulty of ascertaining in practice its centre of oscillation, as depending on the form of the bob, and its distance from the point of suspension—the effect of the weight of the suspending wire, towards displacing the centre of oscillation—that center being seated within the body of the bob, and, therefore, inaccessible to the measure—are sources of considerable uncertainty.

II. Both theory and experience prove, that to preserve its isochronism, it must be shorter towards the equator, and longer towards the poles.

III. The height of the situation, above the common level, as being an increment to the radius of the earth, diminishes the length of the pendulum.

IV. The pendulum being made of metal, as is best, it varies in length with the variations in the temperature of the atmosphere.

V. To continue small and equal vibrations, through a sufficient length of time, and to count the vibrations, machinery and a power necessary, which may exert a small, but constant effort to renew the waste of motion: and the difficulty is, so to apply these, as that they shall neither retard nor accelerate the vibrations.

1. In order to avoid the uncertainties, which respect the centre of oscillation, it has been proposed by Mr. Leslie, an ingenious artist of Philadelphia, to substitute, for the pendulum, an uniform cylindrical rod, without a bob.

Could the diameter of such a rod be infinitely small, the centre of oscillation would be exactly at two-thirds of the whole length, measured from the point of suspension. Giving it a diameter which shall render it sufficiently inflexible, the centre will be displaced, indeed; but in a second rod, not the (1.) 600,000th part of its length, and not the hundredth part as much as in a second pendulum, with a spherical bob, of proper diameter. This displacement is so infinitely minute, then, that we may consider the centre of oscillation, for all practical purposes, as residing at two-thirds of the length, from the centre of the suspension. The distance between these two centres might be easily and accurately ascertained in practice. But the whole rod is better for a standard, than any portion of it, because sensibly defined at both its extremities.

2. The uncertainty arising from the difference of length requisite for the second pendulum, or the second rod, in different latitudes, may be avoided by fixing on some one latitude, to which our standard shall refer. That of 38°, as being the middle latitude of the United States, might seem the most convenient, were we to consider ourselves alone: but connected with other nations by commerce and science, it is better to fix on that parallel, which bids fairest to be adopted by them also. The forty-fifth, as being the middle term between the equator and pole, has been heretofore proposed in Europe: and the proposition has been lately renewed there, under circumstances which may very possibly give it some effect. This parallel is distinguished with us also, as forming our principal northern boundary. Let the completion of the forty-fifth degree then give the standard for our union, with the hope that it may become a line of union with the rest of the world.

The difference between the second rod for 45° of latitude, and that for 31°, our other extreme, is to be examined.

The second pendulum for 45° of latitude, according to sir Isaac Newton's computation, must be of (2.) 39,14912 inches, English measure: and a rod, to vibrate in the same time, must be of the same length between the centres of suspension and oscillation, and, consequently, its whole length 58.7 (or more exactly 58,72368) inches. This is longer than the rod, which shall vibrate seconds in 31° of latitude, by about $\frac{1}{679}$ part of its whole length; a difference so minute, that it might be neglected, as insensible, for the common purposes of life: but in cases requiring perfect exactness, the second rod, found by trial of its vibrations in any part of the United States, may be corrected by computation for the (3.) latitude of the place, and so brought exactly to the standard of 45°.

3. By making the experiment in the level of the ocean, the difference will be avoided, which a higher position might occasion.

4. The expansion and contraction of the rod, with the change of temperature, is the fourth source of uncertainty before mentioned. According to the high authority, so often quoted, an iron rod, of given length, may vary, between summer and winter, in temperate latitudes, and in the common exposure of house-clocks, from $\frac{1}{1728}$ to $\frac{1}{2592}$ of its whole length, which, in a rod of 58.7 inches, will be from about two to three hundredths of an inch! This may be avoided by adjusting and preserving the standard in a cellar, or other place, the temperature of which never varies. Iron is named for this purpose, because the least expansible of the metals.

5. The practical difficulty, resulting from the effect of the machinery and moving power, is very inconsiderable in the present state of the arts: and in their progress towards perfection, will become less and less. To estimate and obviate this, will be the artist's province. It is as nothing, when compared with the sources of inaccuracy hitherto attending measures.

Before quitting the subject of the inconveniences, some of which attend the pendulum alone, others, both the pendulum and rod, it must be added, that the rod would have an accidental, but very precious advantage over the pendulum in this country, in the event of our fixing the foot at the nearest aliquot part of either; for the difference between the common foot and those so to be deduced, would be three times greater in the case of the pendulum, than in that of the rod.

Let the standard of measure, then, be an uniform cylindrical rod of iron, of such length, as, in latitude 45° in the level of the ocean, and in a cellar, or other place, the temperature of which does not vary through the year, shall perform its vibrations, in small and equal arcs, in one second of mean time.

A standard of invariable length being thus obtained, we may proceed to identify, by that, the measures, weights, and coins of the United States. But here a doubt presents itself, as to the extent of the reformation meditated by the house of representatives. The experiment made by congress in the year 1786, by declaring that there should be one money of account and payment through the United States, and that its parts and multiplies should be in a decimal ratio, has obtained such general approbation both at home and abroad, that nothing seems wanting, but the actual coinage, to banish the discordant pounds, shillings, pence and farthings of the different states, and to establish, in their stead, the new denominations. Is it in contemplation with the house of representatives, to extend a like improvement to our measures and weights, and to arrange them also in a decimal ratio?—The facility, which this would introduce into the vulgar arithmetic, would, unquestionably, be soon and sensibly felt by

the whole mass of the people, who would thereby be enabled to compute for themselves, whatever they should have occasion to buy, to sell, or to measure, which the present complicated and difficult ratios place beyond their computation, for the most part. Or, is it the opinion of the representatives, that the difficulty of changing the established habits of a whole nation, opposes an insuperable bar to this improvement? under this uncertainty, the secretary of state thinks it his duty to submit alternative plans, that the house may, at their will, adopt either the one or the other, exclusively—or the one for the present, and the other for a future time, when the public mind may be supposed to have become familiarized to it.

I. And first, on the supposition, that the present measures and weights are to be retained, but to be rendered uniform and invariable, by bringing them to the same invariable standard.

The first settlers of these states, having come chiefly from England, brought with them the measures and weights of that country. These alone are generally established among us, either by law or usage; and these, therefore, are alone to be retained and fixed. We must resort to that country for information of what they are, or ought to be.

This rests, principally, on the evidence of certain standard measures and weights, which have been preserved of long time in different deposits. But differences among these having been known to exist, the house of commons, in the years 1757 and 1758, appointed committees to enquire into the original standards of their weights and measures. These committees, assisted by able mathematicians and artists, examined and compared with each other, the several standard measures and weights, and made reports on them in the years 1758 and 1759. The circumstances, under which these reports were made, entitled them to be considered, as far as they go, as the best written testimony existing, of the standard measures and weights of England: and as such, they will be relied on in the progress of this report.

*Measures of length.*—The measures of length in use among us are,

The league of three miles; the mile of eight furlongs; the furlong of forty poles or perches; the pole or perch of five and a half yards; the fathom of two yards; the ell of a yard and a quarter; the yard of three feet; the foot of twelve inches; and the inch of ten lines.

On this branch of their subject, the committee of 1757, 1758, says, that the standard measures of length, at the receipt of the exchequer, are a yard, supposed to be of the time of Henry VII. and a yard and ell, supposed to have been made about the year 1601; that they are brass rods, very coarsely made, their divisions not exact, and the rods bent: and that, in the year 1742, some members of the royal society had been at great pains in taking an exact measure of these standards, by very curious instruments, prepared by the ingenious Mr. Graham; that the royal society had had a brass rod made, pursuant to their experiment, which was made so accurately, and by persons so skilful and exact, that it was thought not easy to obtain a more exact one; and the committee in fact found it to agree with the standard at the exchequer, as near as it was possible. They furnish no means to a person at a distance of knowing what this standard is. This, however, is supplied by the evidence of the second pendulum, which, according to the authority before quoted, is, at London, 39,1682 English inches, and consequently, the second rod, there is of 58,7523 of the same inches. When we shall have found, then, by actual trial the second rod for 45° by adding the difference of their computed length, to wit, $\frac{337}{10000}$d of an inch, or rather $\frac{1}{10}$ of a line (which in practice will endanger less error, than an attempt at so minute a fraction as the ten thousandth part of an inch) we shall have the second rod of London, or a true measure of 58 3-4 English inches. Or, to shorten the operation, without varying the result,

Let the standard rod of 45° be divided into 587 1-5 equal parts and let each of these parts be declared a line;

Ten lines an inch; twelve inches a foot; three feet a yard; three feet nine inches an ell; six feet a fathom; five yards and a half a perch or pole; forty poles or perches a furlong; eight furlongs a mile; three miles a league.

*Superficial measures.*—Our measures of surface are the acre of four rood; and the rood of forty square poles: so established by a statute of 33. E. I. Let them remain the same.

*Measures of capacity.*—The measures of capacity in use among us, are of the following names and proportions:

The gill, four of which make a pint; two pints a quart; two quarts a pottle; two pottles a gallon; two gallons a peck, dry measure; eight gallons make a measure, called a firkin, in liquid substances, and a bushel dry; two firkins or bushels, make a measure, called a rundlet, or kilderkin, liquid, and a strike, dry; two kilderkins, or strikes, make a measure called a barrel, liquid, and a coomb, dry—this last term being ancient and little used; two barrels, or coombs, make a measure called a hogshead, liquid, or a quarter, dry; each being the quarter of a ton; a hogshead and a third makes a tierce, or a third of a ton; two hogsheads make a pipe, butt, or puncheon, and two pipes make a ton.

But no one of these measures is of a determinate capacity. The report of the committee of 1757-8 shews, that the gallon is of very various content: and that being the unit, all the others must vary with it.

The gallon and bushel contain 224 and 1792 cubic inches, according to the standard wine gallon, preserved at Guildhall; 231 and 1848, according to the statute of the 5th Anne; 264.8 and 1218.4, according to the ancient Rumford quart of 1228, examined by the committee; 265.5 and 2124, according to three standard bushels preserved in the exchequer, to wit, one of Henry VII. without a rim, one dated 1091, supposed for 1591, or 1601, and one dated 1601; 266.25 and 2130, according to the ancient Rumford gallon of 1228, examined by the committee; 268.75 and 2150, according to the Winchester bushel, as declared by statute 13.14. W. 3. which has been the model for some of the grain states; 271. less 2 spoonfuls, and 2168, less 16 spoonfuls, according to the standard gallon of Henry VII. and another, dated 1601, marked E. E. both in the exchequer; 271 and 2168, according to a standard gallon in the exchequer, dated 1601, marked E. and called the corn gallon; 272 and 2176, according to the three standard corn-gallons, last mentioned, as measured in 1688, by an artist for the commissioners of the excise, generally used in the sea-port towns, and by mercantile people, and thence introduced into some of the grain states; 277.18 and 2217.44, as established for the measure of coal by the statute of 12 Anne: 278, and 2224, according to a standard bushel of Henry VII. with a copper rim, in the exchequer; 278.4 and 2227.2 according to two standard pints of 1601, and 1602, in the exchequer; 280, and 2240, according to the standard quart of 1601, in the exchequer; 282 and 2256, according to the standard gallon for beer and ale, in the treasury.

There are, moreover, varieties on these varieties, from the barrel to the ton inclusive: for, if the barrel be of herrings, it must contain 28 gallons by the statute 13 El. c. 11. If of wine, it must contain 31 1-2 by the statute 2 Henry VII. c. 22. and 1. Richard III. c. 15. If of beer or ale, it must contain 34 gallons by the statute 1 William and Mary c. 24. and the higher measures in proportion.

In those of the United States, which have not adopted the statutes of William and Mary, and of Anne before cited, nor their substance, the wine gallon, of 231 cubic inches, rests on the authority of very long usage, before the 5th of Anne, the origin and foundation of which are unknown. The bushel is the Winchester bushel, by the 11 Henry VII. undefined; and the barrel of ale, 32 gallons, and of beer 36 gallons by the statute 23 Henry VIII. c. 4.

The secretary of state is not informed whether there have been any and what alterations of these measures, by the laws of the particular states.

It is proposed to retain this series of measures, but to fix the gallon to one determinate capacity, as the unit of measure, both wet and dry: for the convenience is in favor of abolishing the distinction, even between wet and dry measures.

The wine gallon, whether of 224 or 231 cubic inches, may be altogether disregarded, as concerning, principally, the mercantile, and the wealthy, the least numerous part of society, and the most capable of reducing one measure to another by calculation. This gallon is little used among the mass of farmers, whose chief habits and interests are in the size of the corn bushel.

Of the standard measures before stated, two are principally distinguished in authority and practice. The statute bushel of 2150 cubic inches, which gives a gallon of 268.75 cubic inches, and the standard gallon of 1601, called the corn gallon, of 271 or 272 cubic inches; which has introduced the mercantile bushel of 2176 inches. The former of these is most used in some of the grain states, the latter in others. The middle term, of 270 cubic inches, may be taken as a mutual compromise of convenience, and as offering this general advantage, that the bushel being of 2160 cubic inches, is exactly a cubic foot and a quarter, and so facilitates the conversion of wet and dry measures into solid contents and tonnage, and simplifies the connexion of measures and weights, as will be shewn hereafter. It may be added in favor of this, as a medium measure, that eight of the standard or statute measures, before enumerated, are below this term, and nine above it.

The measure to be made for use, being foursided, with rectangular sides and bottom.

The pint will be 3 inches square and 3 3-4 inches deep; the quart 3 inches square and 7 1-2 inches deep; the pottle 3 inches square and 15 inches deep, or 4 1-2, 5, and 6 inches; the gallon 6 inches square and 7 1-2 inches deep; or 5, 6, and 9 inches; the peck 6, 9, and 10 inches; the half-bushel 12 inches square and 7 1-2 inches deep; and the bushel 12 inches square, and 15 inches deep, or 9, 15 and 16 inches.

Cylindrical measures have the advantage of superior strength: but square ones have the greater advantage of enabling every one, who has a rule in his pocket, to verify their contents, by measuring them. Moreover, till the circle can be squared, the cylinder cannot be cubed, nor its contents exactly expressed in figures.

Let the measures of capacity then, for the United States, be,

A gallon of 270 cubic inches; the gallon to contain two pottles; the pottle two quarts; the quart two pints: the pint 4 gills: 2 gallons to make a peck; 8 gallons a bushel or firkin; 2 bushels or firkins, a strike or kilderkin; 2 strikes or kilderkins, a coomb or barrel; 2 coombs or barrels, a quarter of a hogshead; a hogshead and a third one tierce; 2 hogsheads a pipe, butt, or puncheon; and 2 pipes a ton.

And let all measures of capacity, of dry subjects, be stricken with a streit strike.

*Weights.*—There are two sorts of weights in use among us—the one called avoirdupois, the other troy.

In the avoirdupois series, the pound is divided into sixteen ounces; the ounce into sixteen drams; the dram into four quarters.

In the troy series, the pound is divided into twelve ounces; the ounce, according to the subdivision of the apothecaries, into 8 drams; the dram into 3 scruples; the scruple into 20 grains.

According to the subdivision for gold and silver, the ounce is divided into 20 penny-weight; and the penny-weight into 24 grains.

So that the pound troy contains 5760 grains, of which, 7,000 are requisite to make the pound avoirdupois; of course the weight of the pound troy is to that of the pound avoirdupois, as 5760 to 7000, or as 144 to 175.

It is remarkable, that this is exactly the proportion of the ancient liquid gallon of Guildhall, of 224 cubic inches, to the corn gallon of 272; for 224 are to 272, as 144 to 175 (4.)

It is further remarkable still, that this is also the exact proportion between the specific weight, of any measure of wheat, and of the same measure of water. For the statute bushel is of 64 pounds of wheat. Now as 144 to 175, so are 64lb. to 77.7lb. but 77.7lb. is known to the weight of (5.) 2150.4 cubic inches of pure water; which is exactly the content of the Winchester bushel, as declared by the statute 13. 14. W. 3. That statute determined the bushel to be a cylinder of 18 1-2 inches diameter, and 8 inches depth. Such a cylinder, as nearly as it can be cubed, and expressed in figures, contains 2150,425 cubic inches; a result, which reflects authority on the declaration of parliament, and induces a favorable opinion of the care with which they invested the contents of the ancient bushel, and also a belief, that there might exist evidence of it at that day, unknown to the committees of 1758 and 1759.

We find then in a continued proportion, 64 to 77.7 as 224 to 272, and as 144 to 175, that is to say, the specific weight of a measure of wheat to that of the same measure of water, as the cubic contents of the wet-gallon, to those of the dry; and as the weight of a pound troy to that of a pound avoirdupois.

This seems to have been so combined as to render it indifferent whether a thing were dealt out by weight or measure; for the dry gallon of wheat, and the liquid one of wine were of the same weight; and the avoirdupois pound of wheat, and the troy pound of wine, were of the same measure. Water and the vinous liquors, which enter most into commerce, are so nearly of a weight, that the difference, in moderate quantities, would be neglected by both buyer and seller; some of the wines being a little heavier, and some a little lighter than water.

Another remarkable correspondence is that between weights and solid measures. For 1000 ounces avoirdupois of pure water, fills a cubic foot, with mathematical exactness.

What circumstances of the times, or purposes of barter or commerce, called for this combination of weights and measures, with the subjects to be exchanged or purchased, are not now to be ascertained. But a triple set of exact proportionals,

representing weights, measures, and the things to be weighed and measured, and a relation so integral, between weights and solid measures, must have been the result of design and scientific calculation, and not a mere coincidence of hazard. It proves, that the dry and wet measures, the heavy and light weights, must have been original parts of the system they compose: contrary to the opinion of the committee of 1757—1758, who thought, that the avoirdupois weight was not an ancient weight of the kingdom, nor ever even a legal weight, but during a single year of the reign of H. 8. and therefore, concluded, otherwise than will be here proposed, to suppress it altogether. Their opinion was founded chiefly on the silence of the laws, as to this weight. But the harmony here developed in the system of weights and measures, of which the avoirdupois makes an essential member, corroborated by a general use, from very high antiquity, of that, or of a nearly similar weight under another (6.) name, seem stronger proofs, that this is a legal weight, than the mere silence of the written laws is of the contrary.

Be this as it may, it is in such general use with us, that, on the principal of popular convenience, its higher denominations, at least, must be preserved. It is by the avoirdupois pound and ounce, that our citizens have been used to buy and sell. But the smaller subdivisions of drams and quarters, are not in use with them. On the other hand, they have been used to weigh their money and medicine with the penny-weights and grains troy-weight, and are not in the habit of using the pounds and ounces of that series. It would be for their convenience, then, to suppress the pound and ounce troy, and the dram and quarter avoirdupois; and to form into one series the avoirdupois pound and ounce, and the troy penny-weight and grain. The avoirdupois ounce contains 18 penny-weights 5 1-2 grains troy-weight. Divide it then into 18 penny-weights, and the penny-weight, as heretofore, into 24 grains; and the new penny-weight will contain between a third and a quarter of a grain more than the present troy penny-weight; or, more accurately, it will be to that, as 875 to 864, a difference not to be noticed, either in money or medicine, below the denomination of an ounce.

But it will be necessary to refer these weights to a determinate mass of some substance, the specific gravity of which is invariable. Rain-water is such a substance, and may be referred to every where, and through all time. It has been found, by accurate experiments, that a cubic foot of rain-water weighs 1000 ounces avoirdupois, standard weight of the exchequer. It is true, that among the standard weights, the committee report small variations: but this experiment must decide in favor of those particular weights, between which and an integral mass of water, so remarkable a coincidence has been found. To render this standard more exact, the water should be weighed always in the same temperature of air; as heat, by increasing its volume, lessens its specific gravity. The cellar of uniform temperature is best for this also.

Let it then be established, that an ounce is of the weight of a cube of rain water, of one-tenth of a foot, or rather, that it is the thousandth part of the weight of a cubic foot of rain-water, weighed in the standard temperature; that the series of weights of the United States shall consist of pounds, ounces, penny-weights, and grains; whereof 24 grains shall be one penny-weight, 18 penny-weights one ounce, 16 ounces one pound.

*Coins.*—Congress in 1786 established the money unit at 375.64 troy grains of pure silver. It is proposed to enlarge this, by about the third of a grain, in weight, or a mill, in value; that is to say, to establish at 376 (or, more exactly, 376,02985) instead of 375.64 grains; because it will be shewn this, as the unit of coin, will link in system with the units of length, surface, capacity, and weight, whenever it shall be thought proper to extend the decimal ratio through all these branches. It is to preserve the possibility of doing this, that this very minute alteration is proposed.

We have this proportion, then, 875 to 864, as 376,02985 grains troy to 371,30261, the expression of the unit in the new grains.

Let it be declared, therefore, that the money unit, or dollar of the United States, shall contain 371.3 American grains of pure silver.

If nothing more then be proposed, than to render uniform and stable the system we already possess, this may be effected on the plan herein detailed; the sum of which is, 1. That the present measure of length be retained and fixed by an invariable standard: 2. That the measures of surface remain as they are, and be invariable also, as the measures of length, to which they are to refer: 3. That the unit of capacity, now so equivocal, be settled at a medium and convenient term, and defined by the same invariable measures of length: 4. That the more known terms, in the two kinds of weights, be retained, and reduced to one series; and that they be referred to a definite mass of some substance, the specific gravity of which never changes: And 5. That the quantity of pure silver in the money unit be expressed in parts of weights so defined.

In the whole of this, no change is proposed, except an insensible one in the troy grain and penny-weight, and the very minute one in the money unit.

II. But if it be thought that, either now or at any future time, the citizens of the United States may be induced to undertake a thorough reformation of their whole system of measures, weights and coins, reducing every branch to the same decimal ratio already established in their coins, and thus bringing the calculation of the principal affairs of life within the arithmetic of every man, who can multiply and divide plain numbers, greater changes will be necessary.

The unit of measure is still that which must give law through the whole system: and from whatever unit we set out, the coincidences between the old and new ratios will be rare. All that can be done, will be to choose such an unit as will produce the most of these. In this respect, the second rod has been found, on trial, to be far preferable to the second pendulum.

*Measures of length.*—Let the second rod, then, as before described, be the standard of measure; and let it be divided into five equal parts, each of which shall be called a foot: for, perhaps, it may be better generally to retain the name of the nearest present measure, where there is one tolerably near. It will be about one quarter of an inch shorter than the present foot.

Let the foot be divided into 10 inches; the inch into 10 lines; the line into 10 points: let ten feet make a decad; 10 decads a rood; 10 roods a furlong; 10 furlongs a mile.

*Superficial measures.*—Superficial measures have been estimated, and so may continue to be, in squares of the measures of length, except in the case of lands, which have been estimated by squares, called roods and acres. Let the rood be equal to a square, every side of which is 100 feet. This will be 6,483 English feet less, than the English (7.) rood every way, and 1311 square feet less in its whole contents, that is to say, about one-eighth; in which

proportion also, 4 roods will be less than the present acre.

*Measures of capacity.*—Let the unit of capacity be the cubic foot, to be called a bushel. It will contain 1620.23 cubic inches, English; be about *one-fourth* less than that before proposed to be adopted as a medium; *one-tenth* less than the bushel made from 8 of the Guildhall gallons; and *one-fourteenth* less than the bushel made from 8 Irish gallons, of 217.6 cubic inches.

Let the bushel be divided into 10 pottles; each pottle into 10 demi-pints, each demi-pint into 10 metres, which will be of a cubic inch each.

Let 10 bushels be a quarter, and 10 quarters a last or double ton.

The measures for use being foursided, and the sides and bottoms rectangular, the bushel will be a foot cube.

The pottle 5 inches square and 4 inches deep; the demi-pint 2 inches square, and 2 1-2 inches deep; the metre, an inch cube.

*Weights.*—Let the weight of a cubic inch of rain water, or the thousandth part of a cubic foot, be called an ounce; and let the ounce be divided into ten double scruples; the double scruple into ten carats; the carat into ten minims, or demi-grains; the minim into ten mites. Let ten ounces make a pound; ten pounds a stone; ten stones a kental; ten kentals a hogshead.

*Coins.*—Let the money unit, or dollar, contain eleven-twelfths of an ounce of pure silver. This will be 376 troy grains (or, more exactly, 376,02985 troy grains) which will be about a third of a grain (or, more exactly, .38985 of a grain) more than the present unit. This, with the twelfth alloy, already established, will make the dollar or unit, of the weight of an ounce, or of a cubic inch of rain-water exactly. The series of mills, cents, dimes, dollars, and eagles to remain as already established. (8.)

The second rod, or the second pendulum, expressed in the measures of other countries, will give the proportion between their measures and those of the United States.

Measures, weights, and coins, thus referred to standards unchangeable in their nature (as is the length of a rod vibrating seconds, and the weight of a definite mass of rain-water) will themselves be unchangeable. The standards too are such as to be accessible to all persons, in all times and places. The measures and weights derived from them fall in so nearly with some of those now in use, as to facilitate their introduction; and, being arranged in a decimal ratio, they are within the calculation of every one who possesses the first elements of arithmetic, and of easy comparison, both for foreigners and citizens, with the measures, weights, and coins of other countries.

A gradual introduction would lessen the inconveniences, which might attend too sudden a substitution, even of an easier, for a more difficult system. After a given term, for instance, it might begin in the custom-houses, where the merchants would become familiarized to it. After a further term, it might be introduced into all legal proceedings: and merchants and traders in foreign commodities might be required to use it in their dealings with one another. After a still further term, all other descriptions of people might receive it into common use. Too long a postponement, on the other hand, would encrease the difficulties of its reception with the encrease of our population.

THOMAS JEFFERSON, *Secretary of state.*

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APPENDIX:

*Containing illustrations and developements of some passages of the preceding report.*

(1.) In page 21. In the second pendulum, with a spherical bob, call the distance between the centres of suspension, and of the bob, 2 x 19.575, or 2d, and the radius of the bob=r, then 2d : r : : r : rr÷2d, and *two-fifths* of this last proportional expresses the displacement of the centre of oscillation, to wit. —2rr 5x2d=rr 5d: two inches have been proposed as a proper diameter for such a bob. In that case r will be =1 inch, and rr÷2d=1÷97.875 inches.

In the cylindrical second rod, call the length of the rod 3x19.575, or 3d, and its radius=r, and rr÷2x3d=rr÷6d will express the displacement of the centre of oscillation. It is thought, the rod will be sufficiently inflexible, if it be *one-fifth* of an inch in diameter. Then r will be =.1 inch, and rr÷6d=1÷117.45 inches, which is but the 120th part of the displacement in the case of the pendulum, with a spherical bob; and but the 689,710th part of the whole length of the rod. If the rod be even of half an inch diameter, the displacement will be but $\frac{1}{1879}$ of an inch, or $\frac{1}{172350}$ of the length of the rod.

(2.) Page 21. Sir Isaac Newton computes the pendulum for 45 deg. to be 36 pouces 8,428 lignes. Picard made the English foot 11 pouces 2.6 lignes, and Dr. Maskelyne 11 pouces 3.11 lignes. D'Alembert states it at 11 pouces 3 lignes, which has been used in these calculations as a middle term, and gives us pouces 36, lignes 8,428—39,1491 inches. This length for the pendulum of 45 deg. had been adopted in this report before the bishop of Autun's proposition was known here. He relies on Mairan's ratio for the length of the pendulum in the latitude of Paris, to wit, 504 : 257 : : 72 pouces to a 4th proportional, which will be pouces 36,71428=39,1619 inches, the length of the pendulum for latitude 48 deg. 50. The difference between this and the pendulum for 45 deg. is .0113 of an inch: so that the pendulum for 45 deg. would be estimated, according to Mairan, at 39.1619.0113—39.1506 inches, almost precisely the same with Newton's computation herein adopted.

(3.) Page 21. Sir Isaac Newton's computations for the different degrees of latitude, from 30 deg. to 45 deg. are as follow:

| | *Pieds.* | | *Lignes.* | | *Pieds.* | | *Lignes.* |
|---|---|---|---|---|---|---|---|
| 30° | 3 | - | 7,948 | 42° | 3 | - | 8,327 |
| 35 | 3 | - | 8,099 | 43 | 3 | - | 8,361 |
| 40 | 3 | - | 8,261 | 44 | 3 | - | 8,394 |
| 41 | 3 | - | 8,294 | 45 | 3 | - | 8,428 |

(4.) Page 23. Or, more exactly, 144 : : 175 : 724 : 272. 2.

(5.) Page 23. Or, more exactly, 62.5 : 172.8 : : 77.7 : 2150.39.

(6.) Page 24. The merchant's weight.

(7.) Page 24. The English rood contains 10890 square feet = 104.355 feet square.

(8.) Above. The measures, weights, and coins of the decimal system, estimated in those of England, now used in the United States.

1. MEASURES OF LENGTH.

| | Feet. | Equivalent in English measure. |
|---|---|---|
| The Point | .001 | .011 inches. |
| Line | .01 | .117. |
| Inch | .1 | 1.174 about a7th more than the English inch |
| Foot | 1. | 11.744736 .978728 feet } about a 48th less than the English foot. |
| Decad | 10. | 9.787 } about a 42th less than the 10 feet rod of the carpenters. |
| Rood | 100. | 97.872 } about a 15th less than the side of an English square rood. |
| Furlong | 1000. | 978.729 } about a 3d more than the English furlong. |
| Mile | 10000. | 9787.28 } about 1-3-7 English mile, nearly the Scotch and Irish mile, and 1-2 the German mile. |

2. SUPERFICIAL MEASURE.

| | Rood. | Square feet. |
|---|---|---|
| The rood | 1. | 9689.085, } about 1-8 less than the English rood. |

3. MEASURES OF CAPACITY.

| | Bushels | Cubic inches. |
|---|---|---|
| The metre | .001 | 1.5202 |
| Demipint | .01 | 16.202 } about 1-24 less than the English half pint. |
| Pottle | .1 | 162.022 } about 1-6 more than the English pottle. |
| Bushel | 1. | 1520.2795662092016025 6 .937632868414884352 cub. feet. } about 1-4 less than the middle sized Eng. bush. |
| Quarter | 10. | 9.376, about 1-5 less than the Eng. quarter. |
| Last | 100. | 93.763, about 1-7 more than the English last |

4. WEIGHTS.

| | Pounds. | Avoirdupois. | Troy. |
|---|---|---|---|
| The mite | .00001 | - - - - - - | .041 grains, about 1-5 less than the E. mite. |
| Minim or demigrain | .0001 | - - - - - - | .4102 about 1-5 less than the half grain troy. |
| Carat | .001. | - - - - - - | 4.102 about 1-40 more than the carat troy. |
| Double scruple | 01. | - - - - - - | 41.021 about 1-40 more than 2 scruples troy. |
| Ounce | .1 | .0376328684148843 52 oz. | 410.21437-6931511904 150151 oz. about 1-16 less than the oz. avoir. |
| Pound | .1 | 0.376 .586020540093lbs. | .712175 lb. about 1-4 less than lb. troy. |
| Stone | 10. | 93.763 oz. 5.8602 lb. | 7.121 about 1-4 less than the English stone of 8lb. avoir. |
| Kental | 100. | 937.632 oz. 58.602 lb. | 71.217 about 2-5 less than the E. ken. 100lb. avoir |
| Hogshead | 1000. | 9376.328 oz. 586.0205 lb. | 712.175 |

5. COINS.

| | Dollars. | | | Troy grains. |
|---|---|---|---|---|
| | | The Dollar | 1. | 376.02983 pure siver. 34.13453 alloy. |
| The mill | .001 | | | |
| Cent | .01 | | | |
| Dime | .1 | Eagle | 10. | 401. 1438 |

# Events of the War.

## MISCELLANEOUS.

*The Russian mediation.* The subject as noticed in our last (page 5) requires us to say, that the *Boston* editor who was to "PROVE" the act of Mr. *Daschkoff* "unauthorised," gets over it by saying that *his* assertion is as good as that of the editor of the Intelligencer!

A passenger in the Sabine from France reports the receipt of letters there from England, stating the ministry had rejected the proposition of Russia.

A Copenhagen paper of the 6th July says, that the 4th of July was duly celebrated on board the ship Neptune.

A public dinner was given to com. *Bainbridge* at *Portland*, about twelve days ago. The company was mixed, "all federalists, all republicans." Among the guests were William Gray, esq. Tobias Lear, and major Snelling——After dinner, the following, with many other, American toasts were drank:

*The American people.*—Love to their country, respect to its rights, and protection to its flag.

*The naval heroes of our revolutionary war.*—A year of glory has passed, a year of triumph comes.

The constitution of our nation on the land, and *its* CONSTITUTION on the ocean.

*The American nation.*—We do not, and ought not to assume attributes of omnipotence; but we can and *will* with our united energies, have our weight in the scale of nations.

Com. WM. BAINBRIDGE.—Brave, generous, and humane. While the American nation can boast such commanders, her eagle will never want a laurel wreath to her crest.

By the hon. WM. GRAY.—*Our army and navy.*—May peace be the harvest of their toils.

By T. LEAR, Esq.—*The brilliant achievments of the American navy.*—The pride of its nation and dread of its foes.

The following is an advertisement copied from a Philadelphia paper of the 3rd inst.—

"*New loan of $7,500,000.* The subscribers intend forwarding proposals for the new loan, and will receive the orders of their friends and others, desirous of being interested therein, until 6 o'clock, P. M. on the 21st inst. *McEwen, Hale & Davidson.*"

A *New-London* paper says——"It is said the *Torpedo* from New-York was chased on Friday last nine miles by several British boats, but by frequent *diving* escaped. The prisoners who were landed on Sunday say, that guard boats were kept constantly rowing round the ships during the night.

*Employment of the Indians.* We are glad that *something*, of shame or fear, has at length induced the British government in *Canada* to shew a disposition to soften and restrain the barbarities of their *allies*. But the horrible enormities they have provoked their miserable tools to commit, cannot be obliterated. Faithful history shall record the savage fact, that the representatives of a people affecting to be civilized, did suspend, in the hall of *legislation*, near to the *mace*, a HUMAN SCALP.

But murders are still committed; and *Malden* is yet the *market place* for scalps.

BRITISH GENERAL ORDERS. *Head Quarters, Kingston, July* 20, 1813. The commander in chief of the forces has had under his consideration the report of a board of officers, of which brig. gen. Vincent was president, assembled by his excellency's orders, at the head quarters of the centre division of the army of St. Davids, on the 20th of July, 1813, for the purpose of considering the claims of the Indian warriors in regard to head money for prisoners of war brought in by them, and to the propriety of some provision being made for those who may be disabled on service. With a view to soften and restrain the Indian warriors in their conduct towards such Americans as may be made by them prisoners of war, his excellency is pleased to approve of the following arrangements, submitted by that board, and directs that the same may be acted upon, viz.

The proceedings of a council with the several Indian warriors, assembled at the Forty Mile Creek, on the 27 ult. having been presented to the board, it is of opinion that upon the subject of head money upon prisoners of war brought in by Indians, allowance should be made to them for each prisoner brought in alive of five dollars.

The board is of opinion the following rates of pensions are sufficient :—

To a chief, for loss of eye, limb, or receiving a wound equal to loss of limb—100 dollars per annum, in money or presents.

To a warrior, for loss of eye, limb, or receiving a wound equal to loss of limb—70 dollars per annum, in money or presents.

To the widow or family of a chief killed in action, or dying of his wounds—a present of 200 dollars, in money or goods

To the widow or family of a warrior, killed in action or dying of his wounds—a present of 140 dollars, in money or goods.

The board is of opinion the Indians ought to be entitled to prize money for the capture of Detroit in the following proportion—

Chiefs as subalterns—warriors as privates.

The head money for prisoners of war brought in by the Indian warriors, is to be immediately paid by the commissaries, upon the certificate of the general officer commanding the division with which they are acting at the time.

EDWARD BAYNES, Adj. Gen.

## CASE OF JOSHUA PENNY.

Joshua Penny, of Long Island, was seized in his bed, by a party of British, from the Ramilies, carried on board of that vessel, and put into irons. The following correspondence explains the grounds on which commodore *Hardy* justifies the procedure, &c. He seems mightily afraid of torpedoes. If the facts he states are true [we are not informed whether they are or not] what are we to think of the *patriotism* of some folks on *Long-Island*, seeing the most minute things are communicated to the enemy ?

[COPY.]

*Sir Thomas Hardy, commander of H. B. M. squadron off Gardner's-island.*

SIR—The inhabitants of the town of East-Hampton have requested of me a flag, which I now authorise, for the purpose of demanding Joshua Penny, a natural born citizen of the township of Southold on this island, and a resident of the town of East-Hampton.

He is demanded as a non-combatant, being attached to no vessel as a mariner or corps military whatever, but was taken by force by your men from his bed in his own house unarmed.

The bearer of this flag is lieut. Hedges, an officer under my command, in [illegible] service. You will have the goodness to deliver Mr. Penny to lieut. Hedges; as he cannot consistently be retained as a prisoner of war by any article in the cartel agreed on, ratified and confirmed by the agents of each of our governments for the exchange of prisoners.

Given under my hand, at the garrison of Sag-Harbor, this 23d of August, 1813.

BENJ. CASE, maj. commanding the troops in the U. S. service at Sag-Harbor.

[COPY.]

*His Britannic Majesty's ship Ramilies, in Gardner's Bay, August 23d, 1813.*

SIR—I have the honor to acknowledge the receipt of your letter of this day's date, and as I do not wish to detain lieut. Hedges, the bearer of your flag, I will do myself the honor of replying to your letter to-morrow by a flag of truce.

I have the honor to be, sir, your very humble servant, THOMAS M. HARDY, *Captain.*

To major Case, commanding the troops, in the United States service, at Sag-Harbor.

[COPY.]

*His Britannic Majesty's ship Ramilies, Gardner's Bay, 24th Aug. 1813.*

SIR—As it was late yesterday afternoon when I had the honor of receiving your letter of the 23d instant, requesting the release of Joshua Penny, I did not judge it proper to detain lieutenant Hedges for my reply

I now beg leave to inform you, I had received certain information that this man conducted a detachment of boats, sent from the United States squadron, under the command of commodore Decatur, now lying in New-London, from that port to Gardner's-island, on the 26th July last, for the express purpose of surprising and capturing the captain of his Britannic majesty's frigate Orpheus and myself, and having failed in that undertaking, but making prisoners of some officers and men, belonging to the Orpheus, he went with the remaining boats to Three Mile Harbor. The next account I had of him, was his being employed in a boat contrived for the purpose, under the command of Thomas Welling, prepared with a torpedo, to destroy this ship, and that he was in her at Napeug Beach, when this ship and the Orpheus were in Fort Pond Bay, last week. He has also had a certificate given him on the 18th of this month, by some of the respectable inhabitants of East-Hampton, recommending him to commodore Decatur, as a fit person to be employed on a particular service, by him, and that he has for some time been entered on the books of one of the frigates, at 40 dollars per month; add to which, this notorious character has been recognized by some of the officers and men of this ship, as having been on board here two or three times, with clams and fruit; of course, as a spy, to collect information of our movements. Having been made so well acquainted with the conduct of this man for the last six weeks, and the purpose for which he has been so actually employed in hostilities against his Britannic majesty, I cannot avoid expressing my surprise that the inhabitants of East-Hampton, should have attempted to enforce on you a statement so contrary to fact. I, therefore, cannot think of permitting such an avowed enemy to be out of my power, when I know so much of him as I do. He will, therefore, be detained as a prisoner of war, until the pleasure of the commander in chief is known.

Robert Gray, an inoffensive old man, who was taken with Penny, I have landed, as it does not appear that he is one of his accomplices in the transactions I have alluded to.

I think proper to enclose a copy of my letter to justice Terry, to warn the inhabitants of the coast against permitting the torpedo to remain any where near them. I have the honor to be, sir, your most obedient humble servant,

THOMAS M. HARDY, *Captain of his B. M's ship Ramilies.*

Maj. Benj. Case, commanding the troops in the U. S. service, at Sag-Harbor.

[COPY.]

*His Majesty's ship Ramilies, off New-London, Aug. 23, 1813.*

SIR—Having received positive information that a whale-boat, the property of Thomas Welling and others, prepared with a torpedo, for the avowed purpose of destroying this ship, a mode of warfare practised by individuals from mercenary motives and more novel than honorable, is kept in your neigh-

borhood, and as from the very good information I obtain from various sources, there is no doubt these persons will soon be in my power, I beg you to warn the inhabitants of the towns along the coast of Long-Island, that wherever I hear this boat or any other of her description has been allowed to remain after this day, I will order every house near the shore to be destroyed.

I have the honor to be, sir, your obedient servant,
(Signed) THOMAS M. HARDY, Capt.

—— *Terry, esq. justice of the peace,*
*Southold, Long-Island.*

MILITARY.

*Gathering on the borders.* The forces at Burlington, Sackett's Harbor, Fort George, and at Fort Meigs, &c. were mentioned in our last. An extaordinary degree of military movement is apparent in every quarter. We have heard, during the present week of at least 3,000 regulars, in detachments, at Schenectady and Troy, N. Y. Portland, Maine, Wilmington, D. Elkton, Md. &c. proceeding to the north, where the force must be imposing in a few days. Georgia has 2,500 men in the Creek country, and the people of Tennessee have their rifles ready to co-operate on the other side. Detachments of regulars were also marching from that state and from Kentucky for the N. W. army, which it is probable Gov. Shelby has reached before this with from 3 to 4,000 volunteers. Ohio is also organizing another body of 2,000 men.

The Canadian papers say that the 103rd royal regiment, is ordered to the West-Indies in punishment for the frequent desertions of the men. The regiment lost 42 men, in this way, at *Plattsburg*.

At a meeting of the militia in Laurens district (S. C.) on Saturday the 14th ult. for the purpose of drafting the militia of that state, never was there a greater specimen of patriotism, since the American Revolution, exhibited than on that occasion; *Six Parsons* volunteered their services to defend their country, out of one captain's beat, to go to class No. I.

*Extract of a letter from Fort George dated August 29.*

"The attack of the 23d inst. was made by the whole of the enemy's force; with the intention, no doubt, should he fail in an attempt upon our entrenchments, to draw us into the woods. General Williams, with a part of his brigade advanced some distance into the plain; but it was considered inexpedient to allow him to pursue into the woods.

"The fleet is hourly expected, with gen. Wilkinson on board. The enemy's fleet has for some days been hovering off this coast."

*Extract of a letter from an officer of the North-western army, dated at head-quarters, Seneca town, August 29th, 1813.*

"We shall embark before the 15th of September, with upwards of 5000 troops, regulars and militia."

NAVAL.

A cartel has arrived at Providence from Barbadoes, with 205 American prisoners. Among them are 45 seamen who had been impressed and discharged—twelve of them were in slavery five years. They refused to do duty, and after being lashed and slashed for their *obstinacy* until the enemy was tired of his own barbarism, they were thrown into *prison*. "Magnanimous English!" By some of these, a gentleman of *Providence* has heard of his brother, long since given up as being in the world of spirits, who was impressed *eighteen* years ago, and is yet retained!

The *Liverpool Packet*, capt. Nichols, from Lisbon for this port (says the Boston Gazette of Sept. 2,) captured some time since by the Salem privateer *Castigator*, and carried into that port, was yesterday, by the *decision* of judge Davis, restored, vessel and cargo to the owner, with costs and damages—We understand the captors appealed.

*Extract of a letter from an officer in command on lake Ontario, to his friend in this city, dated, Sackett's Harbor, August 27, 1813.*

"One of the pilots and some of the men from Mr. Trant's vessel who was taken in our late rencontre with sir James Yeo, have arrived here; they made their escape from Kingston and brought off their guard with them. The pilot states that our fire in that instance proved very destructive and that the Wolf (sir James' flag ship) was very much cut to pieces. They could not ascertain the loss of men, because the prisoners were hurried below as soon as they came on board, and were not permitted to come on deck until all was clear the morning after the action. He says the British officers speak highly of our conduct on that occasion, and of the desperate valor of Trant and Deacon, although in their official account they have thought proper to give a different construction. He says that Mr. Trant did not surrender until within half pistol shot. The enemy then told him to strike or they would sink him. His answer was, "fire away, I am loading my two *long Toms*," which he did, and in that situation fired his guns double charged, with great effect. Lieutenant Deacon, with a perseverance not to be surpassed, tacked and run down their line, and would have escaped, had not the rear vessel unfortunately cut away his halyards and rigging in such a way as to leave him a mere unmanageable wreck. Eckford (the master builder) has built and launched a new schooner in 21 days. She is now ready to proceed with us on our cruise, and I trust in God, before we return, we shall have better luck than we have had. Sir James must look to it. The winds will not always favor him."

☞ Commodore Chauncey did not sail on the 26th ult. but on the 28th. We have a letter from Sacketts Harbor of the latter date, which says, "the fleet is now getting under way." *Nat. Int.*

COMMODORE RODGERS.—*Falmouth, (E.) June 25.* Arrived this morning, the *Duke of Montrose Packet*, Bluett. She sailed from here on the 18th ultimo with mails for Halifax, and was captured on the 12th inst. in lat. 47, 40, N. long. W. 31, 30, by the United States frigate *President*, commodore *Rodgers*, which had also captured the ships *Kitty*, captain Love, and *Maria*, captain Ball, from Newfoundland, bound to the Mediterranean; the former an the 9th inst. the latter on the same day as the Packet.—Commodore R. having assembled the officers of the Packet and masters of the above vessels agreed to send the *Duke of Montrose* to England as a cartel, to which captain Bluett and others signed an instrument.

*London, July 10.*—We have news from commodore Rodgers, and we hope that the President will share the fate of the Chesapeake. Commodore Rodgers was upon the coast of Norway. He took in water at Bergen, and left that place with the intention to capture some vessels from Greenland. We are told an English ship of the line and a frigate are upon that station.

July 13.—Two frigates passed Yarmouth yesterday, it was supposed in pursuit of the American commodore Rodgers.

*The Essex frigate.*—A letter from Mr. G. Miller, American vice-consul at *Buenos Ayres*, gives the following account of the ESSEX, which is the last certain intelligence we have of her, though since its date she may have arrived in the *Rio del Plate*, as

has been reported—it is dated *May* 8:—"The United States frigate Essex, arrived at Valparisa, on the 6th of March. The Essex, it is to be hoped, will place our trade in that quarter on a more respectable footing than it has hitherto been. Captain Porter, it is said, seized a Lima privateer and threw her guns overboard, and left her men and provisions to carry her to Lima, with a letter to the vice king, demanding the immediate restoration of all the ships that had been taken by the privateer under his orders, or that he would proceed to hostilities. Both English and Americans are pleased at this attempt to adjust a villainous system of piracy. Seven American vessels have been seized in Port Conception by the Lima privateer, and an American ship from this place, called the Boriskah, of Baltimore, has been carried into Lima and condemned.

*Valparisa* is on the coast of *Chili*. From another source we learn that captain Porter had fitted out the brig Colt of New-York, and that she was cruising with him.

A letter from *Rio Janeiro* of the 27th June, informs that the frigate Phœbe, carrying 46 guns, the Cherub, 28, and the Racoon 26, were about to proceed on a voyage round Cape *Horn* in search of the Essex—and that they also designed to proceed to the *Columbia* river, and take possession of the settlement there.

The squadron blockading *New-London* are said to be fully supplied with all sorts of live stock.

A cartel schooner, despatched by our minister at the Brazillian court, with 56 American prisoners, has arrived at New-York from Rio Janeiro.

*Ransoming vessels*—The British, dear lovers of commerce, are carrying on quite a brisk trade among the eastern coasters. Off Cape Ann, on the 38th ult. they captured three coasters and six fishing boats, and sent the masters on shore for money to ransom them at 200 dollars—so they go on. It has been fashionable for our *privateers-men* to despise—as too mean and pitiful, the West-India drogers, unless laden with good cargoes; but the "magnanimous" example of the enemy may open a *market* for them hereafter; or British like, lead them to destroy "every thing that swims."

*Business on a large scale!*—A fishing boat was captured by the Nymph frigate off the Eastern coast; the master detained as an hostage for the payment of fifty dollars, the sum required as the ransom of the vessel. This is the meanest of all the mean and pitiful things we have yet heard of. E. P. Epsworth, is the name of the captain of the Nymph.

The United States brig Argus, with Mr. Crawford our minister to France, has arrived at L'Orient. This intelligence is brought by the very valuable schooner Sabine of Baltimore, arrived at Gloucester, (Ms.) from Nantz.

A gentleman who has been on board the Nymph frigate says she carries 54 guns, and is fitted out in the best possible manner, for the purpose of meeting the *Constitution*, as soon as she leaves the port.

*Razees.*—As several razees are fitting out in *England* for the purpose of having *something* not called a ship of the line, that may beat our frigates, the following view of their comparative force may be interesting, as *complimentary* to the skill of our seamen:

The *Majestic* (razee) mentioned in our last, carries—

| | |
|---|---|
| 28 long 32 pounders - - | lbs. 896 |
| 28 42lb. carronades - - - | 1232 |
| 2 brass 12 pounders - - | 24 |
| Whole weight of metal | lbs. 2152 |

The President, Constitution and United States frigates carry:—

| | |
|---|---|
| 30 long 24 pounders (which, however, really discharge only 22lb. shot) but we count them as 24's - - - - - - | 720 |
| 24 32 lb. carronades which carry balls weighing only 29lb. 7 oz. though estimated as 32's - - - - - - - | 768 |
| Weight of metal - - - | 1488 |
| Difference in favor of the *razee* | lbs. 664 |

*Or nearly one half of the whole force of our frigates.*

In testimony of further respect to the memory of *Lawrence*, the sloop of war building at New-York is to be called the "*Peacock*."

## SHANNON AND CHESAPEAKE.

The following letter, or challenge, from captain *Broke* to captain *Lawrence*, has been published in the *Port Folio*. The official account of the capture of the *Chesapeake*, is *re-translated* from a Paris paper of July 20.

*Letter from capt. Broke to capt. Lawrence.*

His Britannic Majesty's ship Shannon,
off Boston, June, 1813.

Sir—As the Chesapeake appears now ready for sea, I request you will do me the favor to meet the Shannon with her, ship to ship, to try the fortune of our respective flags. To an officer of your character it requires some apology for proceeding to further particulars. Be assured, sir, that, it is not from any doubt I can entertain of your wishing to close with my proposal, but merely to provide an answer to any objection which might be made, and very reasonably, upon the chance of our receiving unfair support.

After the diligent attention to which we had paid to commodore Rodgers; the pains I took to detach all force but the Shannon and Tenedos to such a distance that they could not possibly join in any action fought in sight of the capes; and the various verbal messages which had been sent into Boston to that effect; we were much disappointed to find the commodore had eluded us by sailing on the first change, after the prevailing easterly winds had obliged us to keep an offing from the coast. He perhaps wished for some *stronger* assurance of a fair meeting. I am therefore induced to address you more particularly, and to assure you that what I write I pledge my honor to perform to the utmost of my power.

The Shannon mounts twenty-four guns upon her broadside, and one light boat gun; eighteen pounders on her main deck and thirty two pound carronades on her quarter deck and forecastle; and is manned with a complement of 300 men and boys (a large proportion of the latter) besides thirty seamen, boys and passengers, who were taken out of recaptured vessels lately. I am thus minute, because a report has prevailed in some of the Boston papers that we had one hundred and fifty men, additional, lent us from the La Hogue, which really never was the case. La Hogue is now gone to Halifax for provisions, and I will send all other ships beyond the power of interfering with us, and meet you wherever it is most agreeable to you, within the limits of the undermentioned rendezvous, viz.

From six to ten leagues east of Cape Cod light house, from eight to ten leagues east of Cape Ann's light, on Cashe's ledge in lat. 43 nor. at any bearing and distance you please to fix off the south breakers of Nantucket, or the shoal on St. George's bank.

If you will favor me with any plan of signals or telegraph, I will warn you (if sailing under this promise) should any of my friends be too nigh or anywhere in sight, until I can detach them out of my

way; or, I would sail with you under a flag of truce to any place you think safest from our cruisers, hauling it down when fair to begin hostilities.

You must, sir, be aware that my proposals are highly advantageous to you, as you cannot proceed to sea singly in the Chesapeake without imminent risk of being crushed by the superior force of the numerous British squadrons which are now abroad, where all your efforts, in case of a rencontre, would, however gallant, be perfectly hopeless. I entreat you, sir, not to imagine that I am urged by mere personal vanity to the wish of meeting the Chesapeake; or that I depend only upon your personal ambition for your acceding to this invitation:—we have both nobler motives. You will feel it as a compliment if I say, that the result of our meeting may be the most grateful service I can render to my country; and I doubt not that you, equally confident of success, will feel convinced, that it is only the repeated triumphs in *even combats*, that your little navy can now hope to console *your* country for the loss of that trade it can no longer protect. Favor me with a speedy reply. We are short of provisions and water and cannot stay long here.

I have the honor to be, sir, your obedient humble servt. (Signed) P. B. V. BROKE,

*Captain of H. B. M. ship Shannon.*

N. B. For the general service of watching your coast, it is requisite for me to keep another ship in company, to support me with her guns and boats when employed near the land, and particularly to aid each other if either ship in chace should get on shore. You must be aware that I cannot, consistently with my duty, wave so great an advantage for this *general* service, by detaching my consort, without an assurance on your part of meeting me directly; and that you will neither seek nor admit aid from any other of *your* armed vessels, if *I* detach *mine* expressly for the sake of meeting you. Should any special order restrain you from thus answering a formal challenge, you may yet oblige me by keeping my proposal a secret, and appointing any place you like to meet us (within three hundred miles of Boston) in a given number of days after you sail; as unless you agree to an interview, I may be busied on other service, and perhaps be at a distance from Boston when you go to sea. Choose your terms—but let us meet.

*To the commander of the U. S. frigate Chesapeake.*

*Endorsement on the envelope.*

We have thirteen American prisoners on board, which I will give you for as many British sailors, if you will send them out, otherwise, being privateersmen, they must be detained.

*British official account of the capture of the Chesapeake*

LONDON, July 12.

Despatch of capt. Broke, commanding the frigate Shannon.

*Halifax, 6th June*, 1813.—I have the honor to inform you that being on the first of this month near the light house of Boston, I had the pleasure to see that the United States' frigate *Chesapeake*, which we had been watching for a long time, was coming out from port to give battle to the *Shannon*. I placed myself between Cape Ann and Cape Cod, and made sail afterwards to facilitate her coming up with us. The enemy bore down upon us in a brilliant style, having three American flags flying; and in nearing us lowered his royals. I kept the Shannon close to the wind, hoping that the wind might lull. At half past five the enemy hugged the wind, and came within hail of our starboard side. The action then commenced, the two ships steering under their topsails. After having exchanged two or three broadsides, the enemy fell on board of us; her mizen blocks entangled in our fore rigging. I went on the forecastle to ascertain her situation; and seeing that the enemy had abandoned his guns, I gave orders to get ready for boarding. Our brave fellows chosen to execute this order, with their officers, precipitated themselves on the deck of the enemy; driving every thing before them with irresistable courage. The enemy fought desperately but in disorder.

The fire continued on the spar deck, and in the tops; but in the space of two minutes the enemy were driven sword in hand, from all their stations. The enemy's flag was struck.

I have to lament the loss of many brave men of my crew who died gloriously.

My brave first lieutenant, Mr. Watts, was killed at the moment he was hoisting the English flag. My Quarter-master Mr. Aldhan, who had volunteered to lead a detachment, was killed on the spar deck; and my old and faithful clerk, Mr. Duron, was killed by his side.

Having myself received a sabre wound at the beginning of the action, when charging a part of the enemy collected on the forecastle, I could do no more than give orders until I was assured that victory was complete, I then directed my second lieutenant, Mr. Wallace, to take the command of the Shannon and secure the prisoners.

The enemy had about 70 killed and 100 wounded.

Our loss amounts to 24 killed, including officers, seamen, and marines.

[The Chesapeake had 48 killed and 98 wounded—the Shannon 26 killed and 58 wounded. REG.]

BLOCKADE OF NEW-LONDON.

From a certain capt. John Fowler who was on board the Ramilies, we learn that *Joshua Penny*, mentioned above, was brought on board that ship "with his shirt torn from his back"—he was put in irons and confined in a dark place, with a small allowance of bread and water only. When persons with supplies came on board, which was very frequent, Mr. F. and other *enemies* were put below, lest they might recognize the persons engaged in the "*trade*."

Commodore *Oliver*, now commanding the squadron, having refused the request of *Decatur* to permit the passage of the Henry to *New-York* with the bodies of *Lawrence* and *Ludlow*, they have been removed from *Salem*, to the navy-yard at *Charlestown*, to be brought on by land, and are now on their way in covered carriages. "*It is* IMPOSSIBLE (says the *Boston Centinel*) *that the warriors of Britain can be otherwise than* MAGNANIMOUS and HUMANE!"

BLOCKADE OF THE CHESAPEAKE.

The enemy fleet, 30 sail, anchored in Lynhaven bay, Sept. 1. The whole force is reported to be five 74's, 11 frigates, 2 transports, 9 brigs and 10 schooners, in all 36 sail.

A brisk *black* trade is pursued by some of the enemy vessels in the bay. They have inveigled away many negroes, which they will smuggle into the West-Indies and dispose of at enormous profits, as it becomes the *humane* supporters of "the shield of afflicted humanity." But on Sunday the 29th ult. it is stated that certain of the *Princess Ann* (Va.) militia, having blackened the faces of two of their companions sent them to the beach, while they (17 in number) concealed themselves behind the sand hills. The supposed blacks waved their handkerchiefs, and a boat with six men immediately put off from the Plantaganet, followed by two others full of men. "Just as the men from the first boat (says the *Norfolk Herald*) were preparing to land, one of

those disguised in walking a few steps shewed his bare ancles, which he omitted to blacken, when the enemy exclaimed—"*White men in disguise by* ——! *Let us push off*," which they did, and at the same moment the militia ran out and fired upon them until they were out of gun-shot; they killed two out of the six. Had real negroes been made use of the deception would have been complete and effectual.

## American Prizes.

WEEKLY LIST—CONTINUED FROM PAGE 16.

"The winds and seas are Britain's wide domain,
"And not a sail, but by *permission* spreads!"
*British Naval Register.*

In estimating the actual bounty allowed to the *Decatur* privateer (see page 16) we omitted the premium for the prisoners brought in, which is 25$ each. Of these—in her two prizes, there were about 70 persons, equal to $1750—making the whole *bounty* amount to $14,641.

The Saucy Jack has arrived at St. Mary's from her third cruise. Besides those noticed below, she captured the schooner Two Sisters, laden with flour and fish, ship Eliza of 10 guns, with flour, beef, &c. On the 17th inst. fell in with the ship Louisa and brig Three Brothers of 10 guns each, and captured them both, without loss, *see below*. The S. Jack also took and gave up some small vessels—she was the cause of the loss of the enemy sloop of war *Persian*, wrecked on the Silver Keys, June 29, in chasing the S. J.

529. Schooner Flying Fish, taken by the Saucy Jack and released after dispossessing her of goods to the value of $1000.

530. Sloop Catherine, laden with salt, taken by the Saucy Jack, and sent into Cape Henry, Hayti.

531. Schooner Kate, with salt fish, sent into ditto by ditto.

532. Ship Louisa, 10 guns, laden with coffee, taken by the Saucy Jack and burnt to prevent her falling into the hands of a British man of war in chase.

533. Brig Three Brothers, 10 guns, laden with with 2,546 bags and 40 tierces of coffee, sent into St. Mary's by the Saucy Jack. ☞The *bounty* on the cargo with that for the prisoners brought in, will amount to more than $20,000.

Among the curious incidents that belong to privateering, we notice the fitting out of a three masted vessel, at *Salem*, called "TIMOTHY PICKERING," apparently for the chief purpose of seizing *licensed* vessels and other smugglers.

534. Brig Earl of Moira, from Liverpool for St. Andrews in ballast, sent into Machias by the Industry of Marblehead.

535. Schooner ——, laden with a few hhds. of rum, sent into Eastport, by the privateer boat Terrible.

536, 537. Two *enemy* vessels, trading between the United States and the ports of Nova Scotia, sent into Machias by the privateer boats Holkar and Swiftsure, worth 5,000$. The "well inclined" captains made their escape, fearing the reward.

538. Schooner Louisa, of 202 tons, 1 gun and 26 men, from St. Vincents, for St. Johns, a first rate vessel, Baltimore built, sent into Newport, by the letter of marque schooner Expedition of Baltimore, being on board 100 hhds. rum and 30 bbls. sugar. ☞The *bounty* on this vessel and her crew is more than 4,000$.

539. Privateer King of Rome, captured and destroyed by the U. S. brig Argus, on her passage for France.

540. A ship laden with fish, sent into Bordeaux, by the United States frigate President, commodore Rodgers.

541. A schooner, sent into Bayonne by the same

542, 543, 544. Three vessels sent into France, by the True Blooded Yankee.

545, 546. Two vessels carried into France by the Leo, letter of marque.

547. A homeward bound Indiaman captured by the Leo, worth £500,000—the Indiaman was retaken by a sloop of war, but the bullion she had on board, worth $60,000, was carried into France by the Leo.

548. Brig, captured by the Brutus letter of marque, on her passage to France and ransomed for $5,000. The Brutus also captured another vessel yet to hear of.

549. Schooner ——, captured by the General Armstrong on her passage to France and burnt.

## Paupers.

In page 114, of the fourth volume, we inserted a table, compiled from acknowledged authorities, to shew the state of pauperism in *England*. By the facts then brought forward, it certainly appeared that *one eighth* of the whole population of *England* and *Wales* were *regular* paupers, in the year 1805; and reasons were given for the supposition that *one fifth* of the people was, *in reality*, sustained by exactions on the remainder.

To form something like an estimate of the number of paupers in the U. States, communications were requested; but as yet only one regular detail has come to hand. We are indebted for it to *Joseph Engle*, esq. of Delaware county, Pennsylvania; it is an abstract from the report of the Overseers of the poor, of that county, filed in his office, as follows—

| | |
|---|---|
| "1812—1st Mo. 1. In the house this day - | 92 |
| Admitted since - - - - - - | 86 |
| Born in the house this year - - | 6 |
| Namely, 132 whites and 52 colored people—total - - - - - | 184 |
| Of which departed this life - - - | 22 |
| Bound apprentice - - - - - | 23 |
| Removed - - - - - - - | 10 |
| Discharged - - - - - - - | 52 |
| Eloped - - - - - - - | 10 |
| | 117 |
| "1813—1st Mo. 1. Remaining in the house this day - - - - - - | 67 |
| Average number of persons constantly maintained in the house this year - - - - - | 72 |
| And the cost of boarding each per week, including all provisions used in the house, is - - - | 60 cts. |
| And clothing each - - | $ 3 p. ann. |

The whole population of *Delaware* county, by the census of 1810, was 14,734 persons. Supposing the population to have remained stationary, though it has increased since then, it appears, that *one* person in every *two hundred and five* were paupers, the general average being 72. Comparing it with the *English* counties that have the *smallest* number of poor, the proportion of *Delaware* county should be 1029—if compared with those counties that have the greatest number, the ratio would stand at 3387—if with the *average of all the counties* of *England* and *Wales*, 1911. This is a comparison of regular paupers with regular paupers. Besides the *poor houses*, there are many asylums and hospitals for the poor, in England,

whose tenants, sustained by private institutions, do not appear in the fearful aggregate *officially* reported; and besides all these, the streets and roads are swarmed with *beggars*. In *Delaware* county there is no other asylum than the poor house, and mendicity is not permitted. There is not, we venture to say, one regular beggar, (i. e. a person that subsists by promiscuous charity) in the whole country; and the poor house contains only the "halt, the lame and the blind, the aged and the infirm," with a large proportion of children, as is evident from the statement.

It is by comparisons like these, that the American is taught to estimate the blessings he enjoys; and we could not let slip so good an opportunity to excite a spirit of patriotism, in all that will receive the truth.

I am of opinion that *Delaware* is surcharged with paupers—for in the adjoining county, *New Castle*, in the state of Delaware, which has a population of 24,429 souls, I think the average maintained does not exceed *ninety*. The poor house establishment of this county is among the noblest institutions of the kind in the world; where first and second *childhood* receives the *paternal* care of a liberal administration. Such also, indeed, are all the institutions of enlightened *Pennsylvania*.

## THE CHRONICLE.

We have cheering intelligence from *South America*. The particulars are not stated, but the following are given as facts—*Montevideo* was closely besieged by the patriot army May 20—the cause of liberty is well sustained in the provinces of *Buenos Ayres*—the patriotism of *Chili* is alert and active—*Peru* is decidedly opposed to royalty. In the provinces of *Caracas*, the flame of liberty burns with renewed vigor; the greater part of the country appears to be in the hands of the whigs—the capital city and port of Laguira, we learn, have fallen before them.

There was a dreadful gale wind on the southern coast on the 27th of August, ult. It was felt with great violence at *Charleston*; damaging, staving to pieces, or driving "high and dry" many vessels—carrying away bridges, and destroying property to an extraordinary amount. Many persons were drowned in the vessels lost. But the *West Indies* in the latter end of July, say from the 23d to the 26, felt the hurricane!——At *New Providence*, upwards of 100 vessels, among them all the privateers, with 136 houses, were destroyed. At *Barbadoes*, many very valuable ships were dashed to pieces, among them some government vessels. It was believed that certain ships of war and a transport full of troops was lost at *Martinico*—21 sail of vessels and 50 lives were lost at *St. Pierre's* alone. At *Guadaloupe* the damage was terrible—15 sail were lost at *St. Kitts*. *Dominico* is said hardly to have a house standing; and many other islands suffered beyond calculation. The hurricane appears to have been exceedingly extensive and unusually violent.

It is stated that eight millions of dollars, and 7000 mule loads of the products of *Mexico*, have lately arrived at Havanna.

By a late arrival from France we learn that the armistice had been prolonged 30 days—the French emperor was then at Dresden, and the empress was about to leave Paris to join him at Mayence—these things have a pacific aspect. A letter from Nantz of the 23th July, says, the English have sent a minister to the congress—and that the general opinion there is in favor of a *continental peace*. But immense reinforcements are marching for the French army.

The French papers are fill d with accounts of the marches of troops for the grand army. Hamburgh is strengthened by very extensive works; many thousand persons are employed on the fortifications. The English have taken *Passage*, a sea-port of the north of Spain, near Baytonne. General Murray has raised the siege of Tarragona, leaving his artillery, [130 pieces] and ammunition behind him, being close pressed by Suchet. The duke of Dalmatia has gone into Spain, with a view to decide the present fate of that country by a general action. *Bernadotte* has not yet done any thing—but received his subsidy.

A Leipsic paper of June 8, announces that the emperors of France and Russia were to have had an interview on the 6th of that month at Giltszin, in Bohemia—where the emperor of Austria was also to be.

The Prussian paper currency has depreciated 70 *per cent.*

## The Loan.

*Treasury Department, August 26, 1813.*

WHEREAS by an act of congress passed on the 2d day of August, 1813, the President of the United States is authorised to borrow, on the credit of the United States, a sum not exceeding seven millions five hundred thousand dollars;

*And whereas*, the President of the United States did, by an act or commission under his hand dated the 7th day of August, 1813, authorise and empower the acting secretary of the treasury to borrow on behalf of the United States, the aforesaid sum of seven millions five hundred thousand dollars, pursuant to the act of congress above recited:

PUBLIC NOTICE IS THEREFORE HEREBY GIVEN,

That proposals will be received by the acting secretary of the treasury, until the *twenty-fifth day of September next*, from any person or persons, body or bodies corporate, who may offer, for themselves or others, to loan to the United States, the whole or any part, not less than one hundred thousand dollars, of the aforesaid sum of seven millions five hundred thousand dollars.

The stock to be issued for the money loaned, will bear an interest of six per cent. per annum, payable quarter yearly, and the proposals must distinctly state the amount of money offered to be loaned, and the rate at which the aforesaid stock will be received for the same.

The amount loaned is to be paid into a bank or banks authorised by the treasury, in installments in the following manner, viz.

One eighth part or twelve dollars and fifty cents on each hundred dollars, on the 15th day of October next.

One eighth part on the 15th day of November next.

One fourth part, or twenty-five dollars on each hundred dollars, on the 15th day of each of the ensuing months, of December, January and February next.

The proposals must specify the place where the money is to be paid.

If proposals differing in terms from one another should be accepted, the option will be allowed to any person whose proposals may be accepted, of taking the terms allowed to any other person whose proposals may be accepted.

No proposals will be received for a sum less than one hundred thousand dollars; but a commission of one eighth of one per cent. will be allowed to any person collecting subscriptions for the purpose of incorporating them in one proposal to the amount of one hundred thousand dollars or upwards, provided that such proposal shall be accepted.

A commission of one eighth of one per cent. will also be allowed to the cashiers of the banks where the payments shall be made; who will issue scrip certificates to the persons making the payments, and will endorse thereon, the payments of the several installments when made.

On failure of payment of any installment, the next preceding installment to be forfeited.

The scrip-certificates will be assignable by endorsement and delivery; and will be funded after the completion of the payments have been made.

The funded stock to be thus issued, will be irredeemable till the 31st day of December, 1825, will be transferable in the same manner as the other funded stock of the U. S. and will be charged for the regular and quarterly payment of its principal, upon the annual fund of eight millions of dollars appropriated for the payment of the principal and interest of the debt of the U. States, in the manner pointed out in the aforesaid act of the 2d of Aug. 1813.

WM. JONES,
*Acting Secretary of the Treasury.*

## POSTSCRIPT.

All the enemy fleet went to sea from the Chesapeake, on the 6th inst. except one ship of the line, a frigate and five smaller vessels. It was thought the ship and frigate were also getting under way, in the evening.

# THE WEEKLY REGISTER.

No. 3 of vol. V.] BALTIMORE, SATURDAY, September 18, 1813. [whole no. 107.

*Hæc olim meminisse juvabit.*—Virgil.

Printed and published by H. Niles, South-st. next door to the Merchants' Coffee House, at $ 5 *per annum.*


## Barbarities of the enemy.

The following is a part of the documents accompanying the report of the committee raised in the house of representatives of the United States, to report on that part of the president's message "that related to the spirit and manner in which the war has been waged on the part of the enemy." Since this was in type, and it is not now convenient to defer its insertion, we observe that the whole of these documents are publishing in a regular order, as they shall also appear in the Register

We invite the serious attention of our readers to these documents. If they do not feel a burst of indignation at the wonderful impudence of Mr. *Croker*, and the general bad treatment of our people, we know not of "what manner of stuff" they can be made.

J. W. CROKER TO MR. BEASLEY.

*Admiralty Office, 5th August*, 1812.

Sir,—Having communicated to my lords commissioners of the admiralty your letter of the 31st ultimo, transmitting a list of men, said to be Americans, who have been impressed and detained on board his majesty's ships, and requesting their discharge, I have their lordship's commands to acquaint you, that under present circumstances, *they will defer the consideration of this request.*

I am, &c.

(Signed) J. W. CROKER.

*Extract of a letter from Mr. Beasley to the secretary of state, dated*

London, October 23, 1812.

"I have informed you that I had addressed lord Castlereagh on the subject of our citizens who have been impressed, and are now held in the British naval service. I demanded their release and complained of the treatment which some had received on offering to give themselves up as prisoners, or refusing to serve when they heard of the war. In reply, I have received a short note from Mr. Croker, one of the under secretaries, stating, that he was instructed to require the names of the men who had received the treatment complained of, and the vessels in which they were, which I immediately furnished, and urged a reply to the other part of my letter. In an interview I have since had with Mr. Croker, I took occasion to remind him of it, when he intimated that the government did not intend to answer me on that point; *adding, that England was fighting the battles of the world; we had chosen to go to war and to aid the great enemy, and that England had so much right to recruit her army and navy,* in every possible manner, *as France.*"

MR. BEASLEY TO LORD CASTLEREAGH.

*Wimpole-street, October 12th*, 1812.

My lord,—In consequence of the war unhappily existing between the United States and Great-Britain, it has become my duty to call your lordship's attention to the situation of the great number of American seamen who have been impressed, and are now held in the ships of war of his Britannic majesty. In addition to the wrong which is done to the United States by this detention of their seamen, I regret to state, that some of these unfortunate persons, having heard of the war and offered to give themselves up as prisoners, have, for so doing, or for refusing to do service, been punished.

To put an end to a proceeding and a state of things so revolting to humanity, and so contrary to the law and usage of civilized nations, I persuade myself it is only necessary to present them to the view of the British government; and I therefore trust that effectual measures will be immediately taken to restore these injured men to liberty and to their country. I have the honor to be, &c.

(Signed) R. G. BEASLEY.

E. COOKE TO R. G. BEASLEY.

*Foreign Office, 19th October*, 1812.

"In consequence of your letter to lord Castlereagh of the 12th instant, I am directed by his lordship to desire you will furnish me with the names of the American sailors who have been so punished, and of the ship they are on board."

MR. BEASLEY TO MR. COOKE.

*Wimpole-street, 21st October*, 1812.

Sir,—Agreeably to the request contained in your letter of the 19th instant, I now transmit to you a list of impressed seamen on board British ships of war, who, having heard of the war, offered to give themselves up as prisoners, and for so doing or for refusing to do service, have been punished.

I beg you to remind lord Castlereagh that the other part of my letter of the 12th instant, requesting the release of the American seamen detained in the British service, is still unanswered.

I am, sir, &c.

(Signed) R. G. BEASLEY.

*The list referred to in the preceding letter, states the cases of the following persons:*

John Ballard, on board the Zenobia, offered himself a prisoner, refused, and was put in irons for one night.

John Davis, on board the Thistle, gave himself up as a prisoner and refused further service, for which he was flogged.

Ephraim Covell, on board La Hogue, gave himself up as a prisoner and refused further service; in consequence of which he was kept seven days in irons.

John Hosman, on board La Hogue, gave himself up as a prisoner, and refused further service; was put in irons, still kept therein, and was threatened by the commander with further punishment.

Russell Brainard, on board La Hogue, gave himself up as a prisoner, was put in irons and still kept therein.

Thomas W. Marshall, Peter Lazette, Edward Whittle Banks and Levi Younger, on board the Royal William, gave themselves up as prisoners, and were in consequence thereof put into close confinement for eight days.

*October* 21, 1812.

Mr. Beasley requests lord Castlereagh to cause the necessary passports to be furnished for the American ship William and Eliza, captain Howland, to proceed to the United States with American citizens.

*October* 21, 1812.

Mr. Cooke acquaints Mr. Beasley that there will

be no objection to granting a license to a cartel for carrying to the United States such American citizens, non-combatants, as may wish to return to their country. He requests Mr. Beasley to inform him of the situation of the ship William and Eliza.

MR. BEASLEY TO E. COOKE.

*Wimpole-street, October* 23, 1812.

SIR,—I have now the honor to repeat to you what I stated in conversation this morning, that the persons for whose return to the United States I requested the necessary passports, are, for the most part, American masters and mariners; that some of them, in consequence of the loss of their vessels abroad, have come here on their way to America; that others of them having been employed in British ships, are now desirous of returning home; that others, through the detention or condemnation of their vessels under British orders in council, and others, through all the casualties to which this class of men is always exposed, are left without the means of conveyance. None of these persons have been, in any way, engaged in hostilities against Great Britain. They are almost wholly destitute, and for some time have been chiefly supported at the expence of the United States. There are also, I believe, some American merchants and supercargoes who are anxious of availing themselves of the same opportunity of returning to their country.

You are, I presume, aware that the American government has afforded every facility to the departure of those British subjects in the United States, who were under similar circumstances with the persons included in my request.

With regard to the ship William and Eliza, in which those persons are to embark, I beg to observe, that I am well assured by those who have charge of her, that there is no impediment to her departure.

I am, &c. R. G. BEASLEY.

E. COOKE TO R. G. BEASLEY.

*Foreign Office, October* 28, 1812.

SIR,—Having laid before lord Castlereagh your letter requesting that you may be allowed to send a cartel to America, with citizens of the United States who wish to return to their country, I am directed by his lordship to express his consent to this proposition, and am to desire you will confer with the commissioners for prisoners of war, with regard to the account you are to give for such parts of the crew as shall appear to be combatants, and on that principle must be exchanged. I am, &c.

(Signed) E. COOKE.

*October* 29, 1812.

Mr Beasley stated to J. W. Croker, of the admiral office, that lord Castlereagh had referred him to the commissioners for prisoners of war; that he had accordingly applied to them and learnt that the instructions which that board had received from the lords of the admiralty were not sufficiently explicit to enable them to proceed in the matter. Mr. Beasley requests their lordships would be pleased to give such further instructions to the transport board as may be found necessary.

*October* 30, 1812.

John Barrow, of the admiralty office, informs Mr. Beasley, that his letter of the 29th October had been laid before the lords commissioners of the admiralty, and the business had been referred to the transport board.

*October* 29, 1812.

Mr. Beasley informs Alexander M'Leay, of the transport office, that he had requested the lords of the admiralty would be pleased to give the further instructions necessary, and presuming that these instructions would be immediately given, requests Mr. M'Leay to inform him at what time it will be convenient for the commissioners that he should confer with them on the subject.

*October* 30, 1812.

Alexander M'Leay informs Mr. Beasley that he is directed to desire that Mr. B. would transmit to the transport office a list of all the persons whom Mr. Beasley proposed to send to America, stating their several qualities, and when and how they respectively came into Great Britain.

*November* 3, 1812.

Mr. Beasly transmits to Alexander M'Leay, of the transport office, a list of American citizens whom it is proposed to send to the United States in the ship William and Eliza, stating their several qualities, and when and how they respectively came into Great Britain. This list contains one hundred and ten names. To these are added a list of six persons, being other passengers in the same vessel. Mr. Beasley remarks to Mr. M'Leay, "I am informed that many persons of the description and under the circumstances of these mentioned in the first of these lists (being seamen) who were awaiting the result of my late application to lord Castlereagh for a cartel for their conveyance to America have within a few days past, been seized by the impress officers and taken on board the tender of the tower; and I beg to know what are the intentions of the British government respecting them?"

*November* 6, 1812.

Alexander M'Leay informs Mr. Beasley that he has received and laid before the commissioners for the transport service the list of prisoners proposed to be sent to the United States in the William and Eliza cartel, and adds, "In return I am directed to request that you will inform the board whether you will engage that the above mentioned persons on their arrival in the United States shall be exchanged for an equivalent number of British subjects, who may have fallen into the hands of the Americans. I am at the same time to acquaint you, that the prisoners above alluded to must sign engagements not to serve against this country or its allies until regularly exchanged.

*November* 7, 1812.

MR. BEASLEY WRITES TO ALEXANDER M'LEAY.

"I have to inform the board that I am willing to engage that the American citizens whom I intend to send to the United States on board the William and Eliza, cartel, shall on their arrival there be exchanged for an equivalent number of British subjects of the same description, who may have fallen into the hands of the United States under similar circumstances; and that the men themselves shall sign engagements for the performance of any condition similar to those which may have been exacted of such British subjects in the United States; it being understood that if it be found that British subjects under any such circumstances, have been suffered freely to depart from the United States, then these engagements so far as regards the corresponding class of American citizens, shall be void. If, however, it be more satisfactory to the board, that the return or exchange of these men should be regulated by the principles recognized by the two governments in the cartel which I am informed, has lately been concluded at Washington, I am ready to enter into an engagement to that effect."

*November* 13, 1812.

ALEXANDER M'LEAY WRITES TO MR. BEASLEY.

"I am directed to acquaint you that the prisoners mentioned in the list transmitted by you will be released, upon your entering upon an unconditional engagement that they shall be exchanged for British prisoners now in America or who may be hereafter taken.

*November* 16, 1812.

MR. BEASLEY WRITES TO ALEXANDER M'LEAY.

"For those American citizens who composed the crews of the ships taken in war, I am at all times ready to enter into any engagement which the law and usage of nations require. But for those whom your laws have invited, or whom misfortune has thrown into your country; whom accident and not the fortune of war, has placed within your power, I must still urge my request, that they be allowed to depart the kingdom on the conditions proposed in my letter of the 7th instant. But "if the board will enter into an unconditional engagement, that all British subjects who have been permitted to leave the United States since the declaration of war, or who may be permitted to depart therefrom, shall be exchanged for American prisoners of war, I will, in like manner, engage for those American citizens agreeably to your letter." Mr. Beasley adds—"This arrangement however I would make with great reluctance; because it would not be in unison with that liberal spirit of warfare entertained by the government of the United States, and because it would bring within the influence of the war, those who might without detriment to either party, be exempt from its operations."

*November* 23, 1812.

MR. BEASLEY WRITES TO MR. HAMILTON OF THE FOREIGN OFFICE.

"I must beg leave to state, that that part of my note of the 12th ultimo, addressed to lord Castlereagh, relative to the American citizens who have been impressed and are now held in his majesty's naval service, remains unanswered. To the reasons already urged for the discharge of those men, may be added that of compelling them to fight against their country; and I need scarcely add, that as they were forcibly detained before the commencement of hostilities, it would be very unjust to discharge them merely to make them prisoners. Of the number of those unfortunate persons, many must be in vessels on foreign stations at a great distance. It is a subject of much public interest in the United States, and one which involves the domestic happiness of many families."

*November* 24, 1812.

ALEXANDER M'LEAY WRITES TO MR. BEASLEY, AND AFTER SOME PRELIMINARY REASONING SAYS,

"The commissioners (of the transport office) are instructed (by the lords commissioners of the admiralty) to continue to require from you an unconditional receipt, as prisoners of war, for all persons of this description previous to their being permitted to return to America."

*December* 23, 1812.

ALEXANDER M'LEAY WRITES TO MR. BEASLEY,

"I have received and laid before the commissioners for the transport service, &c. your letter of the 16th instant, and in return am directed to acquaint you, that at present they are only authorised to deliver up to you the Americans mentioned in the list transmitted by you on the 3d of November."

*December* 24, 1812.

MR. BEASLEY WRITES TO ALEXANDER M'LEAY.

"After so long a time spent in discussing the principles and conditions of an exchange of prisoners between the United States and Great Britain, I perceive with some surprise, by your letter of yesterday, that the only persons whom the board are authorised to deliver up to me, are those mentioned in the list transmitted to you on the 3d November, who, though so long known to the board as being at large in this city, have never been detained as prisoners; and who have, ever since their arrival, been maintained at the charge of the United States.—During this interval, those persons have been partially dispersed; some have been taken up as prisoners, some have been impressed, and some have otherwise disappeared. Others, however, under similar circumstances, have since been added, and there now remain about one hundred persons. Of these men, as I understand the tenor of our correspondence, those who belonged to vessels detained or taken in war, are to be suffered to proceed to the United States on my entering into the engagement which accompanied your letter of the 14th instant; but that for the others no engagement is required. In order to avoid any further misunderstanding, I beg to know whether this recapitulation is correct."

ALEXANDER M'LEAY TO R. G. BEASLEY.

*Transport Office, 26th December*, 1812.

SIR,—I have received and laid before the commissioners for the transport service, &c. your letter of the 24th instant, and in return, I am directed to acquaint you, that it is the intention of his majesty's government that such of the Americans, named in the list which accompanied your letter of the 3d of last month, as belonged to vessels detained or taken, and as are consequently prisoners of war, shall be suffered to proceed to the United States upon your entering into the engagement which accompanied my letter of the 14th instant; but that for Americans who were resident or travelling in this country, or resorting hither for commercial purposes, not as mariners, no such engagement will be required.

I am, &c.

(Signed) ALEXANDER M'LEAY.

*December* 28, 1812.

MR. BEASLEY WRITES TO ALEXANDER M'LEAY.

"On referring to the list (which accompanied my letter of the 24 ultimo) you will perceive another class of persons, namely, mariners, who did not belong to vessels detained or taken, and as your omitting to notice these men in your letter might leave room for some doubt respecting them, I lose no time in requesting to be informed on what terms the board understand that they are to be suffered to return to the United States.

*December* 29, 1812.

ALEXANDER M'LEAY WRITES TO MR. BEASLEY.

"By a reference to my letter of the 26th instant, you will observe that mariners are expressly excepted from the description of persons who are to be released unconditionally, and consequently it is necessary you should give a receipt for all the mariners named in the list transmitted by you."

*February* 17, 1813.

MR. BEASLEY TO ALEXANDER M'LEAY.

"In reply to your letter of the 9th instant, communicating the result of inquiries made by order of the lords commissioners of the admiralty relative to the alledged ill treatment of certain seamen claiming to be Americans, in the British service, in consequence of their having requested to be considered as prisoners of war, as represented in my letter to lord Castlereagh of the 12th of October, I have to observe that although the statement of those persons and that contained in your letter differ greatly as to the ill treatment, it does appear that some severity was exercised towards them on that occasion, and without any investigation of their American citizenship, which, if established, should have excepted them, not only from punishment, but from service. As it may be inferred, however, from your letter, that if proof be produced to support their claim, their request will yet be complied with, I have to inform you, that evidence to that effect was long since transmitted to the lords of the admiralty in behalf of several of these persons." [Here follows the names of persons and the recitation of the proof

of citizenship, &c.] Mr. Beasley proceeds, "I cannot avoid expressing my disappointment and regret that no notice has been taken of the request made to lord Castlereagh in my letter of the 12th of October, for the general release of the American seamen detained in the British service."

ALEXANDER M'LEAY TO R. G. BEASLEY.

*Transport Office, 26th February,* 1813.

SIR,—I have received and laid before the commissioners of the transport service, &c. your letter of the 17th of this month, with its enclosure, relative to the alledged ill treatment of certain seamen, claiming to be Americans in the British service, in consequence of their having requested to be considered as prisoners of war; and the same having been referred to the right honorable the lords commissioners of the admiralty, I am directed by the board to transmit to you the enclosed copy of a letter which they have received from their lordships' secretary in answer thereto. I am, &c.

(Signed) ALEXANDER M'LEAY.

JOHN BARROW TO THE TRANSPORT BOARD.

*Admiralty Office, 25th February,* 1813.

GENTLEMEN,—Having laid before my lords commissioners of the admiralty your letter of the 18th instant, together with the documents therein referred to from Mr. Beasley, the American agent for prisoners of war in this country, on the subject of certain alledged citizens of the United States detained in his majesty's service, I have it in command to signify their lordship's directions to you to acquaint Mr. Beasley, that neither now in war, nor before, during peace, is, or was the British government desirous of having American seamen in its service, and that their lordships will now discharge as prisoners of war, as they formerly did as neutrals, those persons who can adduce any sufficient proof of their being Americans.

You will further inform Mr. Beasley, that all the cases stated by him have received, or are under accurate examination, and that such persons who may appear to be Americans will be immediately sent to prison, as many have been already. I am, &c.

(Signed) JOHN BARROW.

ALEXANDER M'LEAY TO MR. BEASLEY.

*Transport office, 6th March,* 1813.

SIR—I am directed by the commissioners for the transport service, &c. to inform you, that upon the receipt of the printed letters which were transmitted by you to this office, for the purpose of being forwarded to certain seamen on board of his majesty's ships of war, they considered it their duty to submit the same to the consideration of the right honorable the lords commissioners of the admiralty, and to request their lordships' directions on the subject; and the board having received a letter from their lordships' secretary, of which the enclosed is a copy, I have their directions to acquaint you accordingly, that the letters in question will not be forwarded, and that you cannot be permitted to maintain any correspondence with the seamen on board his majesty's fleet. I am, &c.

(Signed) ALEXANDER M'LEAY.

JOHN BARROW TO THE TRANSPORT BOARD.

*Admiralty Office, 5th March,* 1813.

GENTLEMEN—In reply to your letter of the 16th of last month, enclosing a letter addressed by Mr. Beasley to a seaman on board his majesty's ship Porcupine, and requesting to be informed if letters of a similar description should be forwarded to the persons to whom they are addressed, I am commanded by my lords commissioners of the admiralty, to signify their direction to you not to forward any such letters, and to acquaint Mr. Beasley that he cannot be permitted to maintain any correspondence with the seamen on board of his majesty's fleet; observing to him, at the same time, that the printed letter in question contains a statement unfounded in fact, for that neither since the war, with America, nor before, have their lordships declined to release American seamen, admitted or proved to be such, though they have and still do refuse to release persons assuming, without any proof or document, that character. I am, &c.

(Signed) JOHN BARROW.

*Copy of the printed circular letter addressed to American seamen in British ships of war.*

London, 1813.

In answer to your letter of the

I have to inform you, that the lords commissioners of the admiralty having, in consequence of the war between the United States and Great Britain, declined to release those American citizens who have been impressed and are held in the British service, there appears to be no other course for you to pursue than to give yourself up as a prisoner of war to the commander of the ship in which you are detained.

———, *Agent of the United States for prisoners of war in Great Britain.*

*Extract of a letter from Mr. Beasley to Alexander M'Leay, dated 13th March,* 1813.

"In the letter of their lordships' secretary of the 5th instant, the board are directed to observe to me that the printed letter which I addressed to certain American seamen detained in the British navy "contains a *statement unfounded in fact;* for that neither since the war with America, nor before, have their lordships declined to release American seamen admitted or proved to be such." It is not necessary to my present purpose to enter upon an examination of their lordships' conduct on this matter before the war; although my own official observation, in numerous cases, when I held the office of consul, would authorise me to dispute even that part of their secretary's assertion. But with reference to their lordships' conduct since the war, I beg to remind them of their letter of the 5th of August, soon after the commencement of the war, in answer to a request made on the 31st of July for the release of certain impressed American seamen, in which their lordships, going beyond the mere declining to release the men, stated, "that under the present circumstances, they will defer the consideration of the request for their release;" or, in other words, that they will not at present, war being commenced, even think on the subject of their release. If further proof be necessary of their lordships' having, as I stated in my printed letter, declined the release of such seamen in consequence of the war, I will call to their recollection a letter written by their secretary, on the 25th of August, in answer to an application for the release of William Wilson, an impressed American detained on board the Cordelia, in which they state that this man being an alien enemy *must continue to serve or go to prison.* Should other corroboration be wanted, it may be found in the long and marked silence of the British government to my numerous applications, again and again repeated, for the release of these men; seeing that it was not until the 25th of February, nearly seven months after their lordships had informed me of their having deferred the consideration of the subject, and nearly five months after my formal demand made to lord Castlereagh, that they directed the board to inform me of their intention to treat them as prisoners of war. And even this was not done until eight days after my printed letter in question appears to have been on their ta[illegible]. Surely it was in utter forgetfulness of these circumstances that their lordships

declare my statement unfounded in fact; for it appears impossible that they can, in the mind of any person, bear a different interpretation from that which I had given them. But how do these facts bear on their lordships' statement? How, I ask, does their determination, that Wilson, *proved and admitted to be an American, must continue to serve or go to prison*, support the assertions that their lordships have *not declined to release American seamen admitted and proved to be such?* But, perhaps in their lordships' view, to send them from service and detention in ships of war to confinement in prisons, *is to release* them. If so, it is unnecessary to pursue the subject further, and I will content myself with having vindicated the correctness of my statement."

"I come now to the consideration of their lordships' purpose, as expressed in their secretary's letter of the 25th ult. to treat as prisoners of war the American seamen who have been impressed and are held in the British service. Taking into view the manner in which these unfortunate persons came into the power of the British government, that their own rights and inclinations, the rights of their country, the law of nations, and every principle of justice were violated in the very act by which each of these men was brought within its power, and that this wrong accumulates so long as any of them remain in its power, I do maintain that they are on every ground entitled to, and the British government is bound to grant, their immediate and complete release. It acquired them only as the spoils of unlawful violence; how then can it retain them as the fruits of lawful war? Its right of controul over them can only arise from the lawfulness of their detention; but that which was unlawfully taken cannot be rightfully held, and to acknowledge the pretension to such controul as their lordships' purpose implies, would be to legitimatize the act by which they came into their power. The British government disclaims all right and all intention to take them, and this disavowal is an acknowledgment of its obligation to restore them to the same condition, and to the same freedom, from which they were taken. Upon what ground is it then that they are to be treated as prisoners of war? Not many years since all Europe resounded with the complaints of Great Britain against France for detaining as prisoners of war certain British subjects who, having entered the French territories in the time of peace, were found there in the breaking out of the war.—But, if that were regarded in England as an outrage, what will be thought of this detention, as prisoners of war, of American seamen who, having been wrongfully taken on the high seas and forcibly carried into the British service in time of peace, are found therein at the breaking out of a war doing her service and fighting her battles? The conduct of France was attempted to be justified by certain acts of England which were alledged to be equally contrary to the law of nations. But, what justification, what excuse can be set up for this conduct of Great Britain towards the impressed American seamen? What infraction upon the law of nations, what violence or injustice exercised towards British subjects, or what outrage is this cruel act to retaliate? It cannot be the free and spontaneous permission given by the United States at the commencement of the war for every British subject, of every class and description, found within their territories or under their power, to return to his country, that this imprisonment of American seamen is to requite. And surely this cannot be the indemnification which Great Britain offers these unfortunate men for the wrongs she has inflicted on them, or the reward she offers them for the service she has received at their hands.

"To the unqualified prohibition of all correspondence between myself and the impressed American seamen in his Britannic majesty's fleet, so unreservedly stated in the letter of their lordships' secretary of the 6th instant, I must conform, whatever may be my sentiments and feelings respecting it. The situation in which these unfortunate men and myself stood towards each other, appeared not only to invite, but to authorise a communication between us. On their part, the object of this correspondence was to obtain information and counsel as to the proper manner of conducting themselves under circumstances the most difficult, and on an occasion the most important and solemn, namely, how to act while forcibly held to service in ships of war belonging to a state engaged in actual hostilities against their country; a situation which their own good sense and proper feelings taught them was alike incompatible with their rights and their duties. My part has been, after having waited five months in vain for a communication of their lordships' intentions, to recommend them, since there appeared no means of their release, to give themselves up as prisoners of war; an evil comparatively light to that which they suffer. In other instances their letters have related the rejection of their offer and the threats of punishment, and all contain complaints of the unexampled hardship of their situation."

## Turreau's Letter.

Contrary to our usual course, it is necessary that the following letter should be preceded by a few explanatory remarks. We are the more willing to do this, because the communication of the ex-French minister does not appear to have been designed by him, and is not acknowledged, as an *official* article.

The letter first appeared in a newspaper called the "*Federal Republican*" printed at Georgetown in the district of Columbia. It seems, the copy from which it was published (as stated by the editors of that paper) was in the hand-writing of Mr. *Graham*, chief clerk in the department of state; as is probable from the statement made by Mr. *Graham* himself in his letter, thereafter addressed to them, and inserted below.

The matter of this letter has produced much discussion—some have contended that its insolence exceeded that conduct of the British minister *Jackson*, for which he was discharged—and that it goes to shew "the heighth, the length and the depth" of *French influence* in the councils of our country—whereas others aver that it has no analogy to the case of Mr. *Jackson*, admitting that its matter was equally offensive; for that *Jackson* persisted, after being cautioned two or three times, in his indecorous conduct; whereas *Turreau* immediately withdrew his letter, as is distinctly stated by Mr. *Graham*; and they further say, that it rather proves a *British* than a *French* influence existing in the executive; as Mr. *Turreau* is evidently displeased with the manifested disposition of our government to be on the best terms with his master's enemy, and complains grievously of many supposed injuries done to France.

On these points some volumes of words have already been written; and the reader will judge for himself on what side the best of the argument lies.

BALTIMORE, June 14, 1809.

*The minister of France to Mr. Robert Smith, secretary of state.*

SIR—The federal government is going to settle all its differences with Great Britain, and to make a

treaty of amity, of commerce and of navigation with that power. You, as well as Mr. Gallatin, have manifested to me a desire also to make a new convention with France, to the take place of that which expires on the 30th September next.

I will for a moment call to your consideration (*arreterai votre reflection*) this double object, which the federal government proposes to itself, and the difficulties of accomplishing it in a manner advantageous for all the contracting parties. My just deference for your government, sir, does not permit me to make any observation on the haste with which the executive has received the first overtures of the English ministry yet composed of the same men who very lately discovered a very manifest aversion to every species of conciliation, and who joined to a denial of justice to the Americans, every asperity of forms, of tone, and of style towards the agents of your government.

If I have supposed that this very haste was necessary to satisfy the wishes of the people, of whom foresight is not the first virtue, others may see in that political proceeding a precipitation, perhaps dangerous, and if it does not lessen (*ne blessait pas*) the dignity of the executive, may at least produce consequences prejudicial to the true interests of the union. It is on these very interests, much more than on those of France, as its enlarged and liberal policy, its principles of universal justice, and the elements of which its powers is composed, have placed it beyond all attacks (*hors de toutes les atteintes*)—it is only on the interest of your government that I fix my attention and invoke yours, under a circumstance so delicate.

My correspondence with your predecessor is enough to convince you, sir, that I have not left him ignorant of the dangers of the crisis of Europe, and its inevitable effects on the destiny of the states of the American union. Positive and multiplied information on the events of the other continent and their probable results, has enabled me sometimes to raise the veil which yet covers the designs of the first powers of the political world.

I have thought that it was not incompatible with my duty to submit to the wisdom of your government the new chances which the changes brought about in Europe offer to the commercial interests of the United States and the inconveniences which may result from their refusal to accede formally to the principles of the maritime confederation.

It does not belong to me to examine how far the preceding administration was mistaken in its conjectures; but the verbal proposition which you have made to me, sir, to conclude a new convention (a proposition which I have submitted to my court) necessarily leads me to some observations on the respective position of France and the United States.

Your government looks to nothing in its treaties, but to the interests of its foreign commerce. This is the principle object of its policy. France considers foreign commerce only as an addition (*accessoire*) to its system of general administration. Numerous canals of communication, which aid its rivers, and in multiplying their directions, procures for it all the opening necessary to keep up in the interior and with its allies that immense circulation of all the objects of their reciprocal wants. In France commerce is not a power (*puissance*) in the state: it shares with other national professions the protection of the government, which only honors them with its support and encouragement in proportion to the degree of their utility and importance. In short, foreign commerce is not considered in France as an indispensable thing, although it is so considered in the United States.

You will then readily see, sir, that France has not the same interest which the federal government has, to make a treaty of commerce and navigation with the United States, while it is evident, that whatever may be the dispositions, the result does not offer an equality of advantage to the two governments.

It is only, then, by means of political sacrifices, that one can re-establish the balance in a commercial treaty, and also render it of common utility to the two parties. Besides (and I have not suffered it to remain concealed from the administration which preceded that of Mr. Madison) can the federal government believe, and I appeal to your discernment to judge, if the United States have not given cause of serious and multiplied complaints to France during the terrible conflict which she has had to sustain against all the armed powers of Europe. Notwithstanding the popular infatuation, and the hurrying off of the public opinion, and the public favor towards a power systematically inimical as well to the United States as to France, I will appeal to the authority of all the sensible men of your own country, sir, to know, if for more than five years past the federal government has conducted itself towards the French government in a manner to merit the advantages which you expect from a new convention.

It would be useless and too tedious to examine here, what has already all the light of evidence, whether the preceding administration has not taken the worst course which it could have taken, to avoid collision with the two principal belligerent powers. The Americans have appealed to the rights of neutrality, and until now at least their government has endeavored by proceedings which I shall not permit myself to give a name to (*de qualifier*) to draw near to Great Britain, who outrages or disowns the rights claimed; while it injures (*offensait*) France, whose measures have for their object the re-establishment and the guarantee of these rights.

Thus your preceding administration, (for it is of that, and that only, that I pretend to speak) placed itself by its political movement (*marche*) in manifest contradiction with its own principles. It has done more, and notwithstanding my representations, it persisted (*obstinee*) to consider the two powers as doing equal wrong to the government of the union, and to apply to them the effect of its negative measures, while the outrages of England seemed to require from their dignity the most energetic measures of repression against that power. But in short, (*car enfin*) sir, it is time to come to an explanation on the pretended wrongs of France towards the United States and at least oppose to them the injuries (*les offenses*) done by the federal government.

However severe the decree of Berlin might seem in its application to the United States, it was demonstrated that its consequences would be ultimately (*en derniere analyse*) favorable to their commercial pretensions, since its object was to reach (*d'ateindre*) a power who had proclaimed its contempt for the rights of nations: and without doubt the Americans were the people the most interested in the success of that political act. There are however American merchants who, by all the means of the most shameful deception, have endeavored to elude the measures of France, and to second the efforts of the common enemy to escape them, and have at length by their multiplied and proven frauds, provoked the more severe dispositions of the decree of Milan. Thus not only were the measures of France justified as measures of retaliation, but they were indispensable to free the American commerce from the yoke which Great Britain had placed on it, to cause to be respected in future the flag of neutrals, and force that power to acknowledge the com-

mon right of nations and the dominion of the seas; and the confiscation, the sale, and the burning of some American merchant vessels, having false papers, and navigating in contempt of the prohibitions of their own government, to favor the enemies of France, have been legal measures, conformable to the rights of war, and which the force of circumstances and the interest of all imperiously required. But I appeal to you, sir, the council of Washington, of which you were then also a member—has it given all the necessary attention to the representations made on this subject by Mr. Champagny to Mr. Armstrong, as well as to those which I considered it my duty to address to the secretary of state? Has it been possible to make known through the United States all the advantages which the American people ought to find in the accomplishment of the designs of France—to discuss its projects in the calm of impartiality, to cause the voice of reason and of principles to be heard, when the declamations of error or of bad faith, (when the influence of prepossessions and the clamors of party spirit preserved their empire over the public opinion, or rather received a new force from the incertitude *(incertitude)* or the silence of the [former] ancient executive council? That disposition, almost general, to attribute *(a supposer)* wrongs in France, by way of weakening *(pour alteneur)* the outrages of England—was it foreign to the administration of which I speak? and that administration, has it always been willing to hear me, while I made it perceive the consequences of the conduct of the federal government in regard to the French government? Was this administration convinced that all governments are not disposed to forget or to suffer injuries *(les offenses)* with impunity?

In recalling to your recollection, sir, the wrongs of the federal government towards France, I only mention notorious acts, which my former correspondence has established—observing to you at the same time that I understand according to their class *(je comprends dans leur cathagorie)* the particular offences of your citizens; for every government is bound *(est solidaire)* in regard to other powers for the acts of its subjects; otherwise it would not be a government, and could not offer either security or guarantee for the execution of its agreements.—Complaints were for a long time made to the United States of the delays which some American citizens had experienced in receiving the indemnities which were due to them, and of which the reimbursement was made from a part of the funds destined for the acquisition of Louisiana; but the affair of the heirs of Beaumarchais, who have in vain claimed for 28 years a debt made sacred by his motives, proven to the last degree of evidence, and on which the declared interest of the French government does not admit of a put off—is it finished?

Capt. Mouessant, the bearer of a letter of marque, and commandant of an armed schooner, followed an English convoy, and was on the point of taking several merchant vessels, when two American armed brigs, and armed to protect the infamous commerce with St. Domingo, attacked him under the English flag, and not only added treachery to superiority of force to get possession of the vessel of Mouessant, but after having pillaged it, massacred a part of the crew an hour after they had struck—and this crime, which remains unpunished, is so much the less forgotten, as captain Mouessant never let go *(quitte)* his flag.

But it would be too tedious to relate to you all the particular acts in relation solely to French citizens; it will be sufficient for me to say to you that every where, where there are Frenchmen (I don't speak of the small number who have abjured their country) these Frenchmen will be every where assured *(assuries)* of obtaining indemnity for the damage done to their persons or to their property.

There are other grievances *(griefs)* yet more serious, and from which France has a right to believe that the United States has a project of giving her inquietude for her distant possessions, and for those of her allies. This has reference to the free commerce between the Americans and the revolted blacks of St. Domingo, the affair of Miranda, and to the meditated attack on Spaniards on the Sabine—an enterprize which would not have been given up *(n'a echoue)* but for the necessity under which your government found itself of causing its troops to fall back to guard New-Orleans against an invasion by internal enemies.

I was far from thinking, sir, that the offence *(scandale)* of the commerce with the slaves in the revolted part of St. Domingo. The law of the embargo confirming the prohibitory law passed by congress in 1806—I could not presume that the embargo would be raised, and that the law against this commerce would not be continued. What, sir, the intercourse is prohibited between the United States and all the dependencies of the empire, under circumstances when the commercial regulations would be the most advantageous to the two states, and you tolerate them only with that one of our possessions, where we have the greatest interest to proscribe them! and it is to be remarked, that it is always [moreover] when France has to combat new coalitions on the other continent, that it would seem that efforts are made to form enterprizes against its possessions, or those of its allies in this one. It is also proper to place among the number of grievances with which France has to charge the United States, the want of opposition, or rather, the useless opposition, which the federal government has made to the impressment of its sailors, seized in contempt of its flag, and with whom the English arm their vessels against us. I have often, sir, and often in vain, protested against this outrage of Great Britain towards your government, and which has become a serious injury (offence) on the part of your government towards France. You furnish personal aid *(secours personnels)* to our enemies. What could you do more if you were at war with us? Without doubt, it will not escape the present executive, that an amendment is absolutely necessary, to render uniform the treatment which our sailors and soldiers meet with in this country, and that which your sailors and soldiers meet with in France.

I have not suffered my court to be ignorant of the abuses, without number, and extremely prejudicial to its interests, daily resulting from a want of police in the United States, in regard to this affair.—I am very far, sir, from charging your government with the means, the most shameful, of seduction, which are employed to induce our sailors and our soldiers to desert, but has it done all that it ought to have done to prevent it? and that extreme facility with which when they wish it *(au besoin)* men drawn off from their country and their sovereign are naturalized, does it accord with the incontestible right of governments to recover even without demanding them, their subjects whom artifice or force has drawn off from their service; and France, sir, has it not given on this subject, as on many others, an example of the reciprocal respect which governments owe to each other, and which they observe in Europe even in the midst of the horrors of war? and have I not already warned the executive council to put an end to these abuses? Have I not warned them that the indemnity due for the loss of the

French ship the Impetuous, burnt by the enemy within a cable's length of your coast, ought to be decreed *(statuee)* and paid without delay—and the subterfugues, (permit me to use the expression, I know no other to convey my idea) and the subterfuges, I say, which have been employed to delay *(a journer)* that indemnity, have made of that act of violence on the part of our enemies, a direct offence of the United States against France. What more could you do, what more could you leave undone, sir, if you had a treaty of alliance with our enemies?

You will find it convenient, sir, that I abridge the enumeration of all the subjects of complaint, which the federal government has given to France since my residence in the United States, and that I refer to my correspondence with the department of state.

I confine myself here to calling the attention, and the attention the most serious, of the executive council, to another grievance of the most serious kind—I know not what would more sensibly offend *(offensor)* the French empire.

I commence, sir, by agreeing, that no government has a right to interfere with the particular or municipal laws of other countries, because it is supposed with reason that every government will so far respect itself, as to circumscribe the effect of these local institutions, and to stop the licentiousness which the feebleness of laws always gives birth to, and the digressions *(les ecarts)* of which may offend foreign powers. Can one suppose that it was easy to avoid the just reproaches of sovereigns for offences of this kind, where the weakness *(la vice)* of the institutions, and the want of action or of power in the depositaries of political authority, render useless a trial of the means of repression? You have foreseen, sir, that I am about to address you on the the indefinite liberty of saying every thing, of writing every thing, and of printing every thing.

I am very far from believing that the excesses of your press have occupied for an instant the thoughts of the emperor and king my master—but as it respects this subject *(a cet egard)* I am here as the organ of the whole French empire, and, if I do not see without pain, the ravages *(ravages)* which the delirium of the insolence of the greater part of your periodical writers occasions amongst yourselves, you will judge that I do not hear without indignation all that people permit themselves to say or to write against France, her institutions, and the sacred person of her august representative.

You will see, sir, that on this subject, as on all others, the redress of grievances is an indispensable pre-requisite to the formation of a new treaty between the two powers.

It was sufficiently painful to me to address you *(entretenir)* on the complaints of France against the United States, without laying them open to you, in the form of an official note. I have thought that a simple letter, the tone of which would approach nearer to that of our conferences, would produce the same effect with you, sir, whose liberal principles and loyal character are known to me. I have thought that you would be afflicted, as I am, at the obstacles *(intraves)* which the preceding administration has been able to place in the way of a hearty reconciliation *(a un raprochment plus in time)* between our governments, and which their mutual interest renders more necessary than ever.

I have thought, also, that I could even on a subject so serious, *(grave)* and without deviating from, or with propriety *(sans blemer les convenunces)* adopt a mode of communication more analagous to the conformity of our views and our efforts to maintain harmony between France and the United States; and have found here, too, the satisfaction of being able to offer to your sentiments a new tribute of respect.

Receive, sir, the homage of my high consideration.

(Signed) TURREAU.

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*To the editors of the Federal Republican.*

Your last paper has been shown to me, in which you state that you have in my hand writing the translation of the letter from general Turreau to Mr. Smith, published in your preceding number.—As I believe that some person has intended to practice a fraud upon the public by means of that letter, and, if I am silent after my name has been mentioned, that I may be considered a party to it, or otherwise be exposed to unjust imputations, I think it proper to say, that no such letter as you have published is in the department of state, or ever was there, to my knowledge, unless it is a letter withdrawn by general Turreau, of which I remember to have made a translation for Mr. Smith, as he did not read French himself. This letter was considered so exceptionable, that general Turreau was, as I understood from Mr. Smith, compelled to withdraw it, or to subject himself to consequences more unpleasant. The translation of this letter I gave to Mr. Smith; what he did with it I know not; but if the paper you have is in my hand-writing, I do not hesitate to say, that it is the translation of the letter withdrawn; for I know that with the exception of that letter, I never have translated one from general Turreau to Mr. Smith bearing the slightest resemblance to the one you have published.

My only object in sending you this statement, is you should publish it, that those of your readers who have seen my name introduced into your columns to give authenticity to what you consider an official paper, should know the facts here stated.

JOHN GRAHAM.

*Washington, 31st August*, 1813.

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# Stamp Duties.

*Treasury Department, Revenue Office, Aug.* 20, 1813.

PUBLIC NOTICE IS HEREBY GIVEN.

In pursuance of an act of congress, passed on the second day of August, one thousand eight hundred and thirteen, entitled "An act laying duties on notes of banks, bankers and certain companies, and on the bills of exchange of certain descriptions," that from and after the last day of December next, there will be levied, collected and paid, throughout the United States, the several stamp duties following, viz.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be written or printed any or either of the instruments of writing following, viz:

*On any promisory note or notes payable either to bearer or order, issued by any of the banks or companies who issue and discount notes, bonds or obligations, either incorporated or not incorporated, which now are or may hereafter be established in the United States, or by any bank or bankers* (in case such a company, banker or bankers, shall not agree with the secretary of the treasury to an annual composition, in lieu of such duties, of one and an half per centum on the amount of their annual dividends) according to the following scale, viz:

If not exceeding one dollar, one cent.
If above one dollar, and not exceeding two dollars, two cents.
If above two and not exceeding three dollars, three cents.
If above three and not exceeding five dollars, five cents.
If above five and not exceeding ten dollars, ten cents.
If above ten and not exceeding twenty dollars, twenty cents.
If above twenty and not exceeding fifty dollars, fifty cents.
If above fifty and not exceeding one hundred dollars, one dollar.
If above one hundred and not exceeding five hundred dollars, five dollars.
If above five hundred and not exceeding one thousand dollars, ten dollars.
If above one thousand dollars, fifty dollars.

*On any bond, obligation or promisory note or notes not issued by any bank, company or banker as aforesaid, discounted by any such bank, companies or banker, and on any foreign or inland bills of exchange above fifty dollars, and having one or more endorsers, according to the following scale, viz:*

If not exceeding one hundred dollars, five cents.
If above one hundred and not exceeding 500 dollars, ten cents.
If above two hundred and not exceeding 500 dol. twenty-five cts.
If above five hundred and not exceeding 1,000 dollars, fifty cents.
If above one thousand and not exceeding 1,500 dol. 75 cents.

If above fifteen hundred and not exceeding 2,000 dol. one dol.
If above two thousand and not exceeding three thousand dollars, one dollar and fifty cents.
If above three thousand and not exceeding 4,000 dol. two dol.
If above four thousand and not exceeding five thousand dollars, two dollars and fifty cents.
If above five thousand and not exceeding seven thousand dollars, three dollars and fifty cents.
If above seven thousand and not exceeding 8,000 dol. four dol.
If above eight thousand dollars, five dollars.

All which said stamps have for their legend the duty as above specified, with the device of an eagle bearing a shield.

All treasury and other notes, for the use or benefit of the United States in pursuance of any act of congress, or drafts or bills drawn by the treasurer of the United States or checks payable at sight upon any bank, company or banker, are exempted from duty and are not required to be stamped; and no duty is charged on a second or other copy of a set of exchange.

When any person shall deposit any vellum, parchment or paper, at the office of a collector, accompanying the same with a list specifying the number and denomination of the stamps which are to be thereto affixed, it will be the duty of the collector to transmit the same to the office of the commissioner of the revenue, where such paper, parchment and vellum will be properly marked or stamped, and forthwith sent back to the collector, who will deliver the same, pursuant to the order of the person from whom it was received.

Stamps on paper will be transmitted from this officer to the collectors, who will deliver the same, on the payment of the duty, to the person applying thereon. In case of stamps required on vellum or parchment, the vellum or parchment must accurately be transmitted, through a collector, to this office, whence it will be returned stamped to the collector, subject on the payment of the duty, to the order of the person from whom it was received.

Any person, other than an officer employed in collecting the revenue of the United States, who shall apply to a collector at his office for the purchase at one time of a quantity of stamped vellum, parchment or paper, the duties on which shall amount to ten dollars or upwards, shall receive from him such quantity of vellum, parchment or paper, on said person's paying down the amount of said duties, after deducting therefrom seven and one half per centum thereon.

Given under my hand at Washington, the day and year above-mentioned

SAMUEL H. SMITH,
*Commissioner of the Revenue.*

# Prices Current.

We have spared no pains to fill up the following table; but had not the power to render it more complete than it is. At *Boston, New-York, Philadelphia* and *Baltimore*, the "prices current" are regularly published. The other items were furnished from the private correspondence of several merchants. The present contrast of the value of commodities is curious; and the whole is interesting to the history of the United States.

| ARTICLES. | Per. | At Boston, August 23, 1813. | At New-York, August 28, 1813. | At Philadelphia, August 30, 1813. | At Baltimore, Sept. 4, 1813. | At Norfolk, Sept. 1, 1813. | At Richmond, Aug. 31, 1813. | At Charleston, S. C. August 6, 1813. | At Wilmington, N. C. Aug. 14. | At Savannah, Aug. 13, 1813. | At New-Orleans, Aug. 9, 1813. |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | $ Cts. | $ Cts. | $ Cts. | $ Cts. | $ Cts. | $ Cts. | $ Cts. | $ Cts. | $ Cts. | $ Cts. |
| Ashes, pot, 1st sort | *ton* | 112 50 | 110 00 | | | | | | | | |
| Beef, mess, 200lbs. | *bbl.* | 11 75 | 10 50 | 15 50 | 13 75 | | | | | | 19 |
| Coffee, best W. I. | *lb.* | 21 | 21 | 23 | 25 | 25 | | | | | |
| Cotton, N. Orleans | | 23 | 21 | 21 | 2( | | | | | | 9½ |
| Sea Island | | 29 | 32 | 30 | | | | 19 | | no sales | |
| Upland | | 20 | 19 | 18 | 17 | | | 9 | | | |
| Flour, superfine | *bbl.* | 11 87 | 8 50 | 7 50 | 6 00 | | 4 50 | *4 00 *p. cwt* | 10 25 | | 9 25 |
| Grain, Wheat | *bush.* | *none.* | 1 64 | 1 25 | 1 25 | | 1 05 | | | | 1 05 |
| Rye | | 1 73 | 1 03 | 85 | 72 | | | | | | |
| Indian Corn | | 1 67 | 1 03 | 65 | 53 | | 50 | 82 | 1 00 | | 50 |
| Hemp, Am. | *ton* | *none.* | 300 00 | | 300 00 | | 140 00 | 160 00 | | | 140 00 |
| Iron, bar—Am. | | *none.* | 105 00 | 107 00 | 112 00 | | | | | | |
| Swedish | | 103 00 | 135 00 | 115 00 | 120 00 | | | | | | |
| Lead, pig | *cwt.* | 11 25 | 15 00 | 14 50 | 14 00 | | | | | | 7 25 |
| Molasses, | *gall.* | 84 | 94 | 1 10 | 1 15 | | | | | | |
| Naval stores, tar | *bbl.* | 3 50 | 3 50 | 4 25 | 3 70 | | | | 1 05 | | |
| turpentine, soft | | 3 50 | 4 25 | *none.* | 2 12 | | | | 2 12 | | |
| rosin, | | 3 25 | 4 50 | 4 00 | 2 50 | | | | 1 06 | | |
| Oil, whale, common | *gall.* | 75 | 90 | 85 | 90 | | | | | | |
| Spermaceti | | 1 30 | 1 40 | 1 40 | 1 5 | | | | | | |
| Liver | *bbl.* | *none.* | 33 00 | 33 50 | | | | | | | |
| Pork, best | | 27 00 | 21 50 | 17 50 | 21 00 | | | | | | |
| Plaister of Paris | *ton* | 12 50 | 20 00 | 27 75 | | | | | | | |
| Rice | *cwt.* | 8 00 | 9 00 | 12 00 | | | | 3 00 | 4 50 | 3 00 | |
| Spirits, Fr. Brandy | *gall.* | | 2 37 | 1 87 | 2 20 | | | | | 3 25 | |
| Jamaica | | 1 60 | 1 70 | 1 47 | 1 62 | | | | | 3 00 | |
| N. England | | 94 | 1 07 | 1 00 | 1 00 | | | | | | |
| Rye whiskey | | | 71 | 62 | 70 | 80 | 72 | 65 | | | |
| Sugar, best brown | *cwt.* | 18 75 | 21 50 | 22 00 | 26 50 | 24 00 | 24 00 | | | 20 00 | 9 00 |
| Salt, St. Ubes | *bush.* | 62½ | 65 | 1 10 | 1 25 | | | | | | |
| Shot | *cwt.* | 14 50 | 18 50 | 16 00 | 19 50 | | | | | | |
| Teas, Hyson | *lb.* | 1 75 | 1 70 | 1 72 | 1 95 | 1 95 | | | | 3 00 | |
| Tobacco, best J R. | *cwt.* | 9 00 | 10 00 | 8 00 | 8 00 | | 5 00 | 4 50 | | | 5 25 |
| Wine, Madeira | *gall.* | 2 75 | 3 25 | 3 50 | 3 75 | | | | | | |

*Price of Stocks*—U. S. 6 per cent. At *Boston*, Aug. 23, 1813, $90.25; at *New-York*, Aug. 28, 1813 $90.25; at *Philadelphia*, Aug. 30, 1813, $92.00; at *Baltimore*, Sept. 4, 1813, $92.00.

3 per cent. at *Boston*, Aug. 23, 1813, $53.00; at *New-York*, Aug. 28, 1813, $53.50; at *Philadelphia*, Aug. 30, 1813, $53,00; at *Baltimore*, Sept. 4, 1813, $53.50.

*Exchange on London*—At *Boston*, Aug. 23, 1813, $84.50; at *New-York*, Aug. 28, 1813, $86.50; at *Philadelphia*, Aug. 30, 1813, $83.00; at *Baltimore*, Sept. 4, 1813, $85.00 *per cent.*

# Events of the War.

## MISCELLANEOUS.

The mortal remains of *Lawrence* and *Ludlow* arrived at New-York *by land*, on the 13th inst. without the "magnanimous" *permission* of the BRITISH officer off *New-London*, to bring them by water. They were delivered on board the U. S. sloop of war *Alert*, until the committee of the corporation of the city had arranged the ceremonies with which they should be finally interred. On the day of their arrival the flags of all the vessels in the harbor were at half-mast.

A *Boston* paper says, it has "the pleasure to state," that captain *Oliver*, finally acceded to the request of *Decatur* for the passage of the Henry to New York, with the remains of *Lawrence* and *Ludlow*.

The Greek ship Jerusalem, of 7 or 800 tons, from Havanna, for Boston, laden with sugar, has been captured by the British and sent to Halifax. She is said to be detained in consequence of having some pig copper on board.

The London papers say that admiral Warren is recalled, to be replaced by lord Keith—The causes assigned are the second escape of commodore Rodgers, and the permission given by him to the American negociators to sail to Russia.

The London Star, of July 8, says—"The American envoys have arrived at Copenhagen, to excite new animosities against Great Britain and the cause of Europe.

We cannot flatter ourselves with any prospect of peace from them, since they have commenced their diplomatic tour by a visit to Copenhagen."

*French decree of the 11th April*, 1813.

The vessels captured by the American privateers will be admitted into the ports of France.

The administration of the prizes and the proceedings for condemnation are to be made by the consuls of the United States.*

Immediately on the arrival of the prizes, the cargoes will be lodged in the government warehouse (Entrepot Reel).

All the goods and merchandize of the same description with those admitted to an entry when captured by French privateers, will enjoy the same privilege.

Those prohibited must remain in the government store till re-exported to the United States.

The goods and merchandise on board the privateers, will not be admitted.

*Circular letter of 26th April of the directors general of the customs, commenting on the above decision.*

From the preceding dispositions, the prizes made by the American privateers are entitled to the same privileges as those made by our own, with respect to such goods as are admitted to an entry. Those prohibited, instead of being burnt or destroyed, will be kept in the government warehouse, to be re-exported to the United States.

That destination being exclusively assigned, bonds, or acquits a caution, must be given, and which can only be cancelled on producing the certificate of landing in the United States, signed by the French consul.

Colonial produce or other goods that may happen to be on board the American privateers (except the stores necessary for the crew,) being reputed the produce or manufacture of an enemy's country, will not be admitted. They must provisionally be sequestered and a report made forthwith to the director general, with particular remarks, as well as the motives set forth by the master in support of his answers on his examination; in order that the minister of commerce, to whom the whole will be referred, may ultimately pronounce.

* This provision merely alludes to the proceedings for condemnation, and does not interfere with the agency of the merchant consignee.

## MILITARY.

A *Cincinnati* paper of Sept. 4, says, "during the present week about 4000 Kentucky volunteers passed through this town on their way to the N. W. army." They were in high spirits, and commanded by the venerable *Shelby*. Some companies have also passed through *Chilicothe*.

It will be recollected by most of our readers that the state of *North Carolina*, long since, directed a sword to be presented to "col. *Isaac Shelby*," (now governor of Kentucky,) for his gallant conduct at *Kings mountain*, in the revolutionary war. This sword, of exquisite and costly workmanship, was presented as the venerable warrior when preparing to set out for the N. W. frontier.—A happy time!—May glory light upon it!

Seven pieces of cannon, with 28 ammunition and baggage waggons, passed through Troy (N. Y.) on the 6th inst. for *Burlington*.

We have cheering accounts from that part of the forces of the U. S. committed to the charge of maj. gen. *Hampton*, at *Burlington*. He has done much to prepare them for the time that is at hand. The *English* emissaries, to discourage enlistments and break down the spirit of the people, have done much, *in the papers*, to kill off his troops, by disease. Several officers have taken the trouble to tell these folks that they lied—it is an useless waste of breath to correct the knaves; for if driven from one theme they have only to fasten on another.

Two soldiers were lately shot at Charleston, S. C. One for desertion, the other for sleeping on his post. Three others sentenced to the same punishment were pardoned.

*Northern army and Ontario fleet.*—Commodore *Chauncey* sailed from Sackett's Harbor on the 28th ult. with all his squadron for a cruize, that it was thought would be decisive. Letters of the 7th inst. from fort *George* state the British fleet was then in sight, and that our commodore was weighing anchor to go and meet them. Gen. *Wilkinson* arrived at fort George on the 7th or 8th inst. Gen. *Lewis* has retired to his seat at Strasburg, "for the benefit of his health." The Mary, a private vessel, laden with 199 barrels of flour belonging to the United States, has been captured by the enemy. One account says that sir *George Prevost* has gone towards fort *George* with nearly his whole force, while another would make us believe that he was strengthening himself at *Kingston*, in expectation of an attack: we think the latter is the most probable. It is positively stated that *Yeo* has 32 guns more than *Chauncey*—yet our brave fellows are very sanguine of success. By what we learn from *Burlington*, an important movement may be immediately expected. Indeed the time seems big with events, and we are on the stretch for news from all quarters.

*N. W. army.*—We have so often, (perhaps imprudently) expressed an idea that *Harrison* was about to act offensively, and clear the N. W. frontier of the allied barbarians, that we shall say nothing more on the *prospects* of this portion of the national force. But this we believe, that *Shelby* will not permit it to be idle much longer.

It is intimated, that nearly all the *Ohio* militia have been ordered home by the commanding gene-

ral. The patriotism and *patience* of this invaluable people have been severely tested, on several mortifying occasions; and we fear, if a reverse should take place, they may not be calculated upon hereafter, except under their own leaders, for the immediate defence of their state.

A letter from *Seneca* of August 27, states, that the Queen Charlotte has been sometime at *Malden*, repairing very considerable damages she received by some shots from the battery of *Erie*. Another of the 30th, states, that *Perry's* flotilla, after having visited the enemy's fleet, lying under the guns of *Malden*, returned to *Sandusky*. When our vessels neared that place, the utmost alarm prevailed, and the women and children were seen running and screaming in every direction. The savages looked on with astonishment, and much desired their allies to go out and fight us; but they would not. *Perry* sailed again on the 31st prepared, from his previous observations, to attack the enemy.

Our last date from the army is of the 2d inst.—when it seemed as if great preparations were making for a speedy embarkation, and an attack on the allied forces in several ways.

We have much matter respecting the arrest of major (now lieutenant-colonel) Croghan, by general *Harrison* anterior to the affair at *Sandusky*, though his sword and the command were restored to him, before he had covered himself with glory. Lieut-Col. *Croghan* acquits and fully justifies his general—here, we think, the matter should have stopped; but the field officers of the N. W. army have also made a publication about it. When room is allowed, these things shall be inserted for record.

CHILICOTHE, August 13, 1813.

*Sir*—In consequence of the gallant defence which under the influence of Divine Providence, was effected by you, and the troops under your command, of Fort Stephenson, at Lower Sandusky, on the evening of the 2nd inst.—the ladies of the town of Chilicothe, whose names are undersigned, impressed with a high sense of your merits as a soldier and a gentleman, and with great confidence in your patriotism and valor, present you with a SWORD.

Major GEORGE CROGHAN.

Mary Finley, Mary Sterret, Ann Creighton, Eliza Creighton, Eleanor Lamb, Nancy Waddle, Eliza Carlisle, Mary A. Southward, Susan D. Wheaton *(Washington City)* Rebamah Irwin, Judith Delano, Margaret M'Lanburg, Margaret Miller, Elizabeth Martin, Nancy M'Arthur, Jane M'Coy, Lavinia Fulton, Catharine Fullerton, Rebecca M. Orr, Susan Walker, Ann M. Dunn, Margaret Keys, Charlotte James, Esther Doolittle, Eleanor Buchannan, Margaret M'Farland, Deborah Ferree, Jane M. Evans, Frances Brush, Mary Curtis, Mary P. Brown, Jane Heylin, Nancy Kerr, Catharine Hough, Eleanor Worthington, Martha Scott, Sally M'Lene.

CHILICOTHE, August 14, 1813.

*Sir*—As agents to carry into effect the pleasure of the ladies of Chilicothe, we herewith transmit you, by express, a SWORD which they beg you to receive from them, as a testimonial of the high sense they entertain of your military talents, as displayed in their defence against the enemies of our country, on the 2nd inst. in the memorable defence of Fort Stephenson, and in the signal defeat of the combined British forces and their Indian allies before that place. They commit the surety of their respect to their youthful soldier, believing it will be more acceptable to him than any other they could present, and in full confidence that he will never use it unworthy the high character he has attained.

They request major Croghan, to present their entire approbation and thanks to the officers and soldiers of his heroic little band, for the gallant manner in which they seconded his views, and maintained the unequal conflict.

That Heaven may prosper you, sir, in your future military career, they earnestly pray.

We are, sir, in behalf of the ladies of Chilicothe, your most obedient humble servants,

SAMUEL FINLEY,
JOSEPH WHEATON, Capt.
A. D. Q. M. Gen.

*Major George Croghan.*

ANSWER.

*Lower Sandusky, 25th August* 1813.

LADIES OF CHILICOTHE——I have received the SWORD which you have been pleased to present to me, as a testimonial of your approbation of my conduct on the 2nd inst. A mark of distinction so flattering and so unexpected, has excited feelings which I cannot express.

Yet while I return you thanks for the unmerited gift you have thus bestowed, I feel well aware, that my good fortune (which was bought by the activity of the brave officers and soldiers under my command) has raised in you expectations from my future efforts, which must, I fear, be sooner or later disappointed.

Still I pledge myself, (even though fortune should not be again propitious) that my exertions shall be such as never to cause you in the least to regret the honors you have been pleased to confer on your "youthful soldier." G. CROGHAN.

*Lower Sandusky, 25th, Aug.* 1813.

Messrs. FINLEY and WHEATON:

GENTLEMEN—The *sword* which you have been pleased to forward me in behalf of the ladies of Chilicothe, has been delivered. The only return I can make to you and them, for so distinguished a mark of your favor, is a promise to use my best exertions to become worthy of it. G. CROGHAN.

THE CREEKS, some weeks since, cut off the communication between St. Stephens and Georgia, and the mails for Louisiana, we believe, are now sent by the way of Fort Adams. A skirmish between a body of the "patriotic allies" and a party of the militia took place as the former were returning from Pensacola with a supply of military stores, with a view to seize them. The militia partially effected their object, yet were compelled to retreat with the loss of two killed. But, we apprehend, this unpleasant business will speedily be settled. Anxious to spare this deluded people, the government and its agents have stayed the avenging arm until forbearance was almost a crime; and the force that has been detached for the purpose will immediately command the "war party" to keep the peace. Indeed, is has been reported in Georgia, that alarmed at the preparations made, they were about to submit.

It is a curious *political* remark, as adapted to the parties of the United States, that the "*peace party*" of the Creeks are on the best terms with our administration. And, it must be admitted, that this race of aboriginals have been treated with the utmost gentleness and generosity. They have no possible cause of complaint, (nor do they alledge any) against us. But the "*ever wretchful influence of Britain*" is among them; and the lives of hundreds of deluded creatures must pay the forfeit of *her* crimes. Such is the *spirit* of the government of England—nor does it care if a whole people be exterminated, provided her purpose is effected. Wading to its arm-pits in blood, the poor *Creeks* will add but little to the crimson delude that wastes the world. She counts the cost of lives by the entries on the books of her custom houses—the virtue of her government is in the *pounds, shillings* and *pence* of the pensions and revenues of those that administer it; and instead of the "shield" she has become the *curse* of *humanity*, prowling through all nations and crying "LET BLOOD."

## NAVAL.

There were about eighty American prisoners at *Gibraltar*, on the 1st of June. The greater part of them are *impressed seamen*; who, by a physical resurrection, were restored to their rights as *Americans*, being given up by the ships of war, or "floating hells," on that station. If this outrage on all that is honorable and just, in making prisoners of those that violently fell into the hands of the enemy in time of peace, is persevered in; and the British shall discharge all such in their navy, the "*well inclined*" may boast that the balance of *prisoners* will be in their favor. This procedure, all things considered, is one of the most barbarous of the barbarisms of the enemy. It has a character of meanness and of cruelty that words are incompetent to convey the idea of. It is the opposite of all that is noble, honest or humane. It is purely "*British magnanimity*;" a thing that the more dignified *Algerine* would acknowledge as despotism, power giving the law.

Well do I recollect the howlings of the "British writers" on both sides of the Atlantic, when, after the breach of the peace of Amiens by the *English*, *Bonaparte* detained as prisoners of war certain *Englishmen* that had *voluntarily* entered within his dominions. They seemed if they would have moved heaven and earth, and "the regions under the earth," in hostility to *France* for this nefarious deed. And what an outcry would those persons have made, if *we* had so detained the tens of thousands of the good subjects of "his majesty" that were (and yet are) sneaking through the United States, to do the business of *royalty* and *British commerce?* Would they not have travelled to *France*, as the custom is, for the precedent, talking largely of "*French influence?*" But—where is the sympathy of these men for their *own brethren* so treated by the British? Is it locked up in the temple of *Juggernaut* with "British religion," enlisted on the side of "British liberty" in *Ireland* or *India*, or packed up in the military chest at *Malden*, where "humanity" keeps its money for the purchase of *scalps?* It must be *somewhere*, for those that were so sensitive a few years ago, on a *foreign* subject, should have some feeling when the case, vastly aggravated, lies at their *own door*.

This procedure must be corrected—"peaceably, if we can, violently if we must." We hope that congress will look to it. We have yet hostages enough for the just treatment of our invaluable seamen; and would detain as prisoners, *for exchange*, every *Englishman* of such description of persons as we may be assured yet considers the "fast anchored isle" as his home. All the world would applaud the justice and policy of this conduct; and a wretch, indeed, he must be (except he is of those who hold all wars as unlawful) that would deprecate the fair retaliation. With all our heart and soul, we say, *let it be done*—and the balance will soon be on the other side. Such was the line that guided *Washington* and taught the foe humanity, in the former war.

The new sloop of war launched at *Charlestown*, (Mass.) on the 11th inst. is called the "*Frolic*" in compliment to Jones' victory;—and that building on the Merrimack is to be called the *Wasp*.

We have the particulars of the capture of the Matilda privateer off *St. Salvador*, by the Lion privateer of London. The Matilda attempted to carry the Lion by boarding, which was affected in the most gallant style—but the force of her opponent was too strong and the party was overpowered. The Matilda carried 11 guns, and had 104 men and the Lion had 28 heavy guns and 120 men. Yet the dispute was obstinate, and many were killed on each side. Several of the Matilda's people were killed and wounded after her colors were down; the captain of the Lion having ordered no quarters.

Some of the American privateers, we learn from London papers, are "very vexatious on the coast of Ireland." The Fox got a supply of provisions and water "from the country people." Many valuable ships have been prevented from sailing on her account! If the United States would fit out 50 or 60 of our fast sailing vessels, with 10 or 12 guns each and from 80 to 120 men, with orders to "sink, burn and destroy all that swims," after the manner of the *Chesapeake* heroes, we should have the real value of that boast that Britain owns the winds and sea. They are the very things to make the enemy feel the wrongs he has committed,

The *True Blooded Yankee* has at last been taken by the English—she had only 32 men on board at the time.

Our naval force on *Champlain* is increasing. So is the British. We look for a fierce rencontre on this lake, before long.

The cartel ship Moses Brown has arrived at New-York, from Chatham, (Eng.) with 272 American prisoners.

A small vessel was lately sent out from Fort Gates (New-York) in disguise, and succeeded in "surrounding" one of the British barges, after killing several of the crew—the rest were brought into New-York.

*Lewis'* squadron or flotilla of gun boats, for the defence of New-York, consists of 26 sail of vessels; well fitted for service, and manned with excellent crews, completely disciplined. They passed into the sound, and exchanged a few shots on the 9th inst. with the British frigate Acasta, and Atalanta sloop of war, off Hunter's island. It blew hard; com. *Lewis* could not force a general battle, the enemy retired to their former station off Gardiner's island. After which the flotilla returned and resumed their old post at *Sandy Hook*.

The gun boat that was taken by the British in the Delaware, has since drifted on shore, near Great Egg Harbor, without any person on board, but little injured, except in her upper works. But those who found her cut her to pieces to get out the iron that was in her!

The British have refused to acknowledge as a cartel the packet sent into England by commodore Rodgers [see last no. page 28.] The prisoners, therefore, we suppose as lost to exchange.

It is stated that one of our privateers off Loughwilly, Ireland, has captured "five linen ships" and sent them to Norway.

On Monday last the British frigate that has been cruising for some time off Sandy Hook, chased a smack close in with the light. Some guns were fired at her from the fort, two of which, from the apparent confusion on board, was supposed to have taken effect, on which she sheered off. She also fired *towards* the fort, but her shot fell greatly short. The smack escaped; and the frigate has been more mannerly since.

*Our frigates.*—We hear nothing of the President, Congress or Essex since our last.

At our latest accounts from the coast of North Carolina, the letter of marque schooner Globe, of Baltimore, was in chase of *his majesty's* schooner Paz; and we expect has caught her.

The citizens of Georgetown, Demerara, have erected a monumental tablet to the memory of the British captain Peake, who fell in the action between the Hornet and Peacock, and have presented to Mrs. Peake, "a memorial of their gratitude, respect and

admiration of her gallant and much lamented husband." They have also raised a liberal sum of money, and placed it in the hands of captain Peake's father, to be distributed among the wives, children and near relations of the crew who perished in the engagement.

The frigate *Constitution* and brig *Syren*, both at Boston, are nearly ready for sea.

SPLENDID NAVAL VICTORY.—We have the high gratification to record an account of another naval victory, as splendid as any that preceded it. Again has the *bloody cross* descended in homage to the "*striped bunting*"—again is the naval column decked with a trophy most brilliant, and the fact made manifest that our tars (if fairly met) in defence of "free trade and sailors' rights," are invincible. Again has the haughty foe been taught a useful lesson of mortality—little does his high blown pride and great swelling words avail him, for the well-pointed cannon regards not his boastings. May he profit from these things—cease his barbarisms, and learn to reverence justice!

In addition to the particulars officially given below, we have the following from other sources. The *Enterprize* rates as 12 guns, but carries 16, viz. 14 18lb carronades and 2 long 9's—her officers and crew consisted of 102 persons, and her burthen is about 165 tons. The *Boxer* rates as a 14 gun brig, but carries 18, viz. 16 18lb carronades and 2 long 9's; her force at the time of the action was 104 men, and her burthen is about 300 tons. The first is an old light built vessel, the latter is new and very strong. The gallant *Burrows* received his mortal wound at the commencement of the action; but he refused to be carried below, until the conquered sword of the enemy was presented to him—he seized it in both his hands, and said, "*I am satisfied—I die contented!*"—and soon expired. ☞ *The Englishman's colors were nailed to the mast;* but his tongue was not fastened and he called for quarters: the captain, however, had fallen.

The disparity in the damage sustained by the two vessels, is as usual. We had 14, in all, killed and wounded; the enemy lost at least 39—probably more; for the number of men in her books is not accounted for; many were thrown overboard before we had possession of her, with the same *laudable* view that lieutenant *Chadds* of the *Java* had, of diminishing or concealing her real force.

Soon after the arrival of the *Enterprize* and her *prize* at *Portland*, the bodies of the two commanding officers, lieutenant *Burrows* and captain *Blyth*, were brought on shore in ten oared barges, rowed at minute strokes by masters of ships, accompanied by most of the barges and boats in the harbor, while minute guns were fired from the two vessels. A grand procession was then formed, the corpse of *Burrows* preceding, and the interment took place with all the honors that the civil and military authorities at the place, and the great body of the people, could bestow. During the procession forts *Preble* and *Scammel* (names dear to their country) fired minute guns.

Lieutenant *Burrows* was an excellent young man. He was the son of colonel *Burrows* formerly of the marine corps. Of lieutenant *M'Call* the people will judge by the termination of the fight and his modest account of it; which is, perhaps, the most splendid action, on our side, since the war. Captain *Blakely*, lately of the *Enterprize*, to whom certainly some part of the credit is due for the complete discipline of the men, had a short time before left that vessel to superintend the building and fitting out of a new sloop of war that he is to command. Lieut. *Burrows* was, we believe, a native of *South-Carolina*—a true born yankee. He lived in honor and died in glory With *Pike* and *Lawrence* his name shall be inscribed on the lists of everlasting remembrance—sweet to the recollection of all who love their country.

It is worthy of record that the crew of the *Boxer* were permitted to march in the late procession at *Portland*, when their late captain was interred. Such was not the case with the crew of the *Chesapeake*.

*Copy of a letter from captain Hull to the secretary of the navy.*

PORTLAND, Sept. 7, 1813.

SIR—I had the honor last evening to forward you by express, through the hands of commodore Bainbridge, a letter received from Samuel Storer, esq. navy agent at this place, detailing an account of the capture of the British brig Boxer by the United States' brig Enterprize.

I now have to inform you that I left Portsmouth this morning and have this moment arrived, and, as the mail is closing, I have only time to enclose you the report of lieutenant M'Call, of the Enterprize, and to assure you that a statement of the situation of the two vessels as to the damage they have received, &c. shall be forwarded as soon as surveys can be made. The Boxer has received much damage in her hull, masts and sails, indeed it was with difficulty she could be kept afloat to get her in. The Enterprize is only injured in her masts and sails.

I have the honor to be, &c.

ISAAC HULL.

The hon. Wm. Jones, Secretary of the Navy.

*United States' Brig Enterprize,*
*Portland, 7th September,* 1813.

SIR—In consequence of the unfortunate death of lieutenant-commandant William Burrows, late commander of this vessel, it devolves on me to acquaint you with the result of the cruize. After sailing from Portsmouth on the 1st instant, we steered to the eastward; and on the morning of the 3d, off Wood Island, discovered a schooner, which we chased into this harbor, where we anchored. On the morning of the 4th, weighed anchor and swept out, and continued our course to the eastward. Having received information of several privateers being off Manhagan, we stood for that place; and on the following morning, in the bay near Penguin Point, discovered a brig getting under way, which appeared to be a vessel of war, and to which we immediately gave chace. She fired several guns and stood for us, having four ensigns hoisted. After reconnoitering and discovering her force, and the nation to which she belonged, we hauled upon a wind to stand out of the bay, and at 3 o'clock shortened sail, tacked to run down with an intention to bring her to close action. At twenty minutes after 3 P. M. when within half pistol shot, the firing commenced from both, and after being warmly kept up, and with some manœuvring, the enemy hailed and said they had surrendered, about 4 P. M.—*their colors being nailed to the masts, could not be hauled down.* She proved to be his B. M. brig Boxer, of 14 guns, Samuel Blythe, esq. commander, who fell in the early part of the engagement, having received a cannon shot through the body. And I am sorry to add that lieutenant Burrows, who had gallantly led us into action, fell also about the same time by a musket ball, which terminated his existence in eight hours.

The Enterprize suffered much in spars and rigging, and the Boxer in spars, rigging and hull, having many shots between wind and water.

It would be doing injustice to the merit of Mr. Tillinghast, second-lieutenant, were I not to mention the able assistance I received from him during the remainder of the engagement, by his strict attention to his own division and other departments.

And of the officers and crew generally, I am happy to add, their cool and determined conduct have my warmest approbation and applause.

As no muster roll that can be fully relied on has come into my possession, I cannot exactly state the number killed and wounded on board the Boxer, but from information received from the officers of that vessel, it appears there were between twenty and twenty-five killed, and fourteen wounded. Enclosed is a list of the killed and wounded on board the Enterprize. I have the honor to be, &c.

EDWARD R. M'CALL, *Senior Officer.*

Isaac Hull, esq. commanding naval officer on the eastern station.

*List of killed and wounded on board the United States' brig Enterprize, in the engagement with the British brig Boxer, the 5th Sept.* 1812.

*Killed.*—Nathaniel Garren, ordinary seaman.

*Wounded.*—William Burrows, esq. commander, (since dead); Kervin Waters, midshipman, mortally; Elisha Blossom, carpenter's-mate, (since dead); David Norton, quarter-master; Russel Coats, quarter-master; Thomas Owings, quarter-master; Benjamin Cammon, boatswain's-mate; Sculler Prapley, seaman; James Snow, do.; Snow Jones, do.; Peter Barnard, ordinary seaman; William Thomas, 2d, seaman; John Fitzmere, marine.

EDWD. R. M'CALL, *Senior officer.*

*Copy of a letter from Wm. H. Allen, commanding the United States' brig Argus, to the secretary of the navy, dated L'Orient, (France,) June* 12, 1813.

SIR—I have the honor to inform you, that the United States' brig Argus, has arrived here in a passage of twenty-three days, all well. On our passage fell in with (in pursuing our course) the British schooner Salamanca (formerly the King of Rome, of New-York) of two hundred and sixty tons, pierced for eighteen guns, mounting six and manned with sixteen men—she was from Oporto bound to Newfoundland; captured and burnt her.

I shall immediately proceed to put in execution your orders as to our ulterior destination.

I have the honor to be, &c.

WM. H. ALLEN.

*Hon. Wm. Jones, secretary of the navy.*

The U. S. brig Argus remained but three days at L'Orient, after landing Mr. *Crawford.* She is supposed to have sailed on a cruize.

BLOCKADE OF NEW-LONDON.

The blockading squadron consists of the Valiant, 74, Acasta 48, Orpheus 38 and Atalanta of 18 guns. The two latter made an excursion down the sound, and some of their barges were within 18 miles of New-York—they captured and destroyed many small vessels; but retired when *Lewis's* flotilla was ready to meet them. The militia of the neighboring shores assembled with the greatest alacrity; but the enemy did not attempt to land.

BLOCKADE OF THE CHESAPEAKE.

The enemy has been very quiet since our last. His remaining force still continues in Lynhaven bay. A deserter says they have given up the idea of attempting any other grand object until the next spring; when, it was said, a very powerful force would be sent to the Chesapeake. The squadron on the 9th, consisted of one 74, a brig and a sloop of war.

A gentleman from Maryland [says the *Richmond Enquirer*] says, that information had been obtained from the British squadron, stating that a regular account is kept of the *slaves* taken off, the names of their masters, and of the sales, on the coffee estates in the West Indies—(for likely fellows $1000 had been obtained). Five of these slaves had been taken from col. J. F. Mercer, of Maryland, and sold.

Admiral Warren, with all the speculative sagacity of a London merchant, assigns the reason of this extraordinary value, to wit:—that since the trade to Africa has been suspended, the coffee estates in the West Indies have become excessively thin of slaves.

## American Prizes.

WEEKLY LIST—CONTINUED FROM PAGE 31.

"The winds and seas are Britain's wide domain,
"And not a sail, but by *permission* spreads!"
*British Naval Register.*

550 "His majesty's" fine brig of war BOXER, of 18 guns, taken by the U. S. brig Enterprize of 16 guns, and carried into Portland. See the official account page 45. The Boxer is a valuable prize, for the brave crew of her conqueror are entitled to her whole value, she being the superior vessel.

551 Schooner ——— from the West Indies for Halifax, with a cargo of sugar and coffee, captured by the mate [an American] and some of the crew, and carried into Castine.

552 Schooner ——— laden with salt, captured by the privateer boat Terrible, and ransomed.

553 Brig ——— sent into Newbern, N. C. deeply laden with dry goods, *invoiced* at £ 83,000 sterling, equal to $ 368,520, by the Snap Dragon.

## Banking capital of Maryland.

The following is a list of the banks in the state of Maryland, the date of their institution, and the amount of their chartered capital.

| | | INSTITUTED. | CAPITAL. |
|---|---|---|---|
| Bank of Maryland | At Baltimore. | 1790 | $300,000 |
| Baltimore | At Baltimore. | 1795 | 1,200,000 |
| Union Bank of Maryland | At Baltimore. | 1804 | 3,000,000 |
| Mechanics | At Baltimore. | 1806 | 1,000,000 |
| Commercial and Farmers' | At Baltimore. | 1810 | 1,000,000 |
| Farmers' and Merchants' | At Baltimore. | 1810 | 500,000 |
| Franklin | At Baltimore. | 1810 | 600,000 |
| Marine | At Baltimore. | 1810 | 600,000 |
| City Bank | At Baltimore. | 1813 | 1,000,000 |
| Farmers' Bank of Maryland | | 1804 | 1,200,000 |
| Hagerstown | | 1810 | 250,000 |
| Elkton | | 1811 | 300,000 |
| Farmers Bank of Worcester and Somersett | | 1812 | 200,000 |
| Cumberland | | 1812 | 200,000 |
| | | | $11,350,000 |

Of which about *seven milions* are actually paid in, Sept. 1813. All the charters are now about to expire, but may be extended to the year 1835; on condition that the banks in the city of Baltimore, and the Hagerstown Bank, do subscribe for as many shares of stock in the great western road, joining the United States road at *Cumberland* and proceeding to *Baltimore*, as shall complete the said road, estimated to cost $350,000; and that all the banks pay the sum of $20,000 annually, (in proportion to their capitals) for the support of county schools during the said extension of their charters. The road when made, to be the property of the banks; as other turnpikes are held.

## Naturalization of Citizens.

By the laws of the United States on the subject of naturalization, as they now stand, except as they respect the subjects of the British government, there are two descriptions of aliens, viz. 1. Those who were in the United States at any time betweeen the 18th June, 1798, and the 14th April, 1802; and, 2. Those

who have arrived in the United States since the last mentioned period. The following are the conditions on which they can be naturalized, *and not otherwise*:

The 1st class. By proving that they were residing within, and under the jurisdiction of the United States before the 14th April, 1802, and that they have *ever since continued to reside within the same.*

The 2d class. 1. All who have arrived in the U. States since the 14th April, 1802, shall make report of him or herself to the clerk of any *court of record;* which report shall contain the name, place of birth, age, nation, and allegiance, with the country whence he or she migrated, and the place of his or her intended residence. This report the clerk records, and grants a certificate, under his hand and seal of office. If the alien be under 21 years of age, the report must be made by the parent, guardian, master or mistress of the alien. This certificate is to be exhibited to the court, as evidence of the time of arrival in the U. States.

2. After this report is made, the alien must reside 5 years at least in the United States, one of which must be in the state or territory where the court sits, to which application is made for naturalization. But he or she must, at least 3 years before that time, declare in open court, upon oath or affirmation, that it was *bona fide* his or her intention to become a citizen of the United States and renounce forever all allegiance and fidelity to any foreign prince, potentate, state or sovereignty whereof such alien may, at that time, be a citizen or subject. Of this notice the clerk makes a record, and gives a certificate, under his hand and seal of office; which, along with the certificate of report and registry, must be exhibited to the court, when application is made for naturalization.

3. The court must be satisfied of the aforesaid residence, and that the alien, during the time, has behaved as a person of *good moral character,* and attached to the principles of the constitution of the United States, and well disposed towards the peace and good order of the same. Upon this proof being made, the oath of abjuration and allegiance is administered. The oath of the applicant cannot be admitted, in any case, to prove the residence. If the applicant belong to any of the orders of nobility, he must, under oath, forever renounce the title or titles.

As there was a provision in the several naturalization laws, that no subject of any country, state or sovereign, with whom the United States shall be at war, at the time of his application, shall be then admitted to be a citizen of the United States—Of course, since the declaration of war with Great Britain, the subjects of that government were altogether excluded from the benefits of the naturalization laws, until the passage of the following act:

[BY AUTHORITY.]

An act supplementary to the acts heretofore passed on the subject of an uniform rule of naturalization.

*Be it enacted by the senate and house of representatives of the United States of America, in congress assembled,* That persons resident within the United States or the territories thereof, on the 18th day of June, in the year 1812, who had before that day made a declaration, according to law, of their intentions to become citizens of the United States, or who, by the existing laws of the United States, were on that day entitled to become citizens, without making such declaration, may be admitted to become citizens thereof, notwithstanding they shall be alien enemies at the times and in the manner prescribed by the laws heretofore passed on that subject: *Provided,* That nothing herein contained shall be taken or construed to interfere with or prevent the apprehension and removal, agreeably to law, of any alien enemy, at any time previous to the actual naturalization of such alien.

H. CLAY, *Speaker of the House of Representatives.*
E. GERRY, *Vice-president of the U. S. and president of the senate.*

July 30, 1813.

APPROVED. JAMES MADISON.

*Lan. Int.*]

# Martial-Law Case.

FROM THE BALTIMORE FEDERAL GAZETTE.

HIGHLY IMPORTANT DECISION.

*Daniel Wells, by George Mackenzie,* and *John Pocock, by Alexander Briscoe,* vs. *John Kennedy.* } Habeas Corpus.

The petitioners were infants under the age of twenty-one, but above the age of 18 years, and were apprentices. Having on the tenth day of August, 1813, been arrested by a file of armed men acting under the orders of the said John Kennedy, and forcibly carried to a camp in the vicinity of this city, and there detained by him, a writ of *Habeas Corpus,* was on application of the masters of the apprentices, issued to the said Kennedy by his honor Judge Bland, commanding him to produce the bodies of the petitioners, with the cause of their caption and detention, on Wednesday the 11th August, at 10 o'clock A. M. at the Court-House of Baltimore county. In obedience to the writ, the Defendant (Kennedy) appeared at the time and place appointed, with the petitioners in his custody.

In consequence of the want of certain papers, which necessarily formed a part of the return to the writ, and on account of the very great importance of the case, which required that the return should be complete, the case stood adjourned until the 12th August, at 10 o'clock, and the petitioners were remanded until that hour to the custody of the Defendant (Kennedy.) On Thursday, the 12th of August, the petitioners were brought up by the Defendant, who made the following return to the writ, which return was sworn to in the usual manner.

RETURN.

The return of John Kennedy, captain commanding a company in the 27th regiment of Maryland militia, to the writs of *Habeas Corpus* to him directed by the hon. Theodoric Bland, associate judge of the sixth judicial district, commanding him to have the bodies of Daniel Wells and John Pocock, before him at 10 o'clock on this day at the Court-House with the day and cause of their caption and detention.

The said John Kennedy in return to said writ saith, that the said Wells and Pocock reside in his district, and are of legal age *to do militia duty.* That in virtue of Division Orders from maj. general Samuel Smith, dated 6th August, 1813, which are hereto annexed (marked A.) and prayed to be taken as part of this return, and of Brigade Orders in pursuance thereof of 7th August, which are hereto annexed (marked B.) the said John Kennedy was ordered by lieut. col. Kennedy Long, commanding officer of the 27th regiment, which orders are hereto annexed (marked C.) to call out his said Kennedy's militia men on a tour of duty for a week, in order to repel a threatened invasion of the state, to commence on Monday the 9th August. That in compliance with the said orders, he the said John Kennedy, did duly notify the said Wells and Pocock, so liable as militia men to do the tour of duty, as members of his militia company, and to attend at the usual place of meeting of said company, in order to perform said tour of duty. That the said Wells and Pocock did not attend according to said notice, whereupon the said John Kennedy in virtue of orders from the commanding officer of the 27th regiment, on the 10th day of August, *sent a guard, and did on the said day take the said Pocock and Wells into custody,* in order to compel a performance on their part of the said tour of duty—which is the day and cause of the said caption and detention.

On the above return, the case was submitted after a few observations made by the counsel on behalf of the masters, some little discussion also took place on the question whether the legislature could ever have intended that the rights of masters should be infringed by compelling or permitting their apprentices to perform militia duty.

His honor Judge Bland observed, that the militia laws did not exempt persons above the age of eighteen years, *even though they were apprentices,* from militia duty. That true it was the master had a right to the services of his apprentice, which right he derived from the laws of the state; but that there was a period at which *the state* had also a right to his services, and that right was paramount to that of the master.

He observed, that upon a minute investigation and a careful comparison of all the militia laws, the case was a plain one—it appeared to him to lie in the narrowest limits.

By the act, said his honor, of May, 1813, chap. 19, sect. 1, there is a provision for calling out the militia by *drafts* in the manner thereby prescribed, and by the 8th section of the same law, a penalty is prescribed for the non-attendance of those *drafts.* By the 3d section of the same law, there is a provision for calling out the militia *en masse,* or any part thereof, in the cases of emergency therein mentioned. Thus it is evident that there are *two* distinct modes of calling out the militia. By the act of November session, 1811, chap. 122, sec. 21, the militia, when ordered out either *en masse* or

in part; by draft, or in any manner that may be directed by the proper military officer in the cases of invasion, or threatened invasion, *are to all intents and purposes subject to the rules and regulations of the articles of war.*

The judge further observed, that it was not for him in his judicial capacity, or for a court of justice to say *when* such an emergency existed as would require the exercise of the powers vested by the 3d section of the act of 1813. The law had vested the military officer, with a discretionary power and subjected him to the control of the commander-in-chief. It was simply his duty as a judge to see whether the case before him was fairly within the provisions of that section.

The judge in conclusion observed, that at a crisis such as that contemplated by the law, when the state was actually invaded or threatened with invasion, it could not have been the intention of the legislature, that an officer was to be delayed until a substitute could be furnished, when, perhaps, the services of *every man* in the district might be *instantly* wanted to repel an invasion. At such a crisis, could any reasonable man suppose, that the legislature intended that judges and courts of justice should be employed in uselessly issuing writs of Habeas Corpus when the enemy might be at our doors?

The case before me (said the judge) is brought by the return not only within the spirit, but almost within the letter of the law. The petitioners are properly in the custody of capt. Kennedy—he had a right to take them by force. Therefore, let them be remanded to his custody.

[A.]—(Copy.)

*GENERAL ORDERS—3d Division. 6th August*, 1813.

The appearance of the enemy near to the port of Baltimore, makes it my duty, as Major-General and commanding officer, to be prepared to meet any attack which may be attempted. Therefore, Ordered, That the Third Brigade be held in readiness, prepared for action; and that one regiment be drawn forth for one week's service, to be relieved weekly by another, to be encamped near the Magazine.

S. SMITH,
Maj. General 3d Division.

*To Brig. General John Stricker,*
*3d Brigade M. M.*

[B.]—(Copy.)

*BRIGADE ORDERS.—3d Brigade, M. M.*
*Baltimore, August 7th*, 1813.

Ordered, that the 27th regiment, lieut. col. Long, encamp on the height near the Powder Magazine, on Monday morning, for a week's service—Tents and Camp Kettles will be furnished by the State Quarter-Master, and rations by the Contractor, Mr. Robinson.

Col. Long will avail himself of the present occasion, to drill his regiment, which must be commenced at the morning gun-fire, and repeated in the evening of each day.

He will make a morning report to the maj. general at head-quarters. Muster rolls will be made out by the captains of their respective companies, to which their oaths will hereafter be required.

By order of Brigadier-General Stricker,
J. CALHOUN, Jun
Brigade-Maj. 3d Brigade.

[C.]—REGIMENTAL ORDERS.

In conformity to Brigade Orders of this date, you are hereby ordered to notify the men attached to your company to assemble on Monday the 9th inst. at 8 o'clock A. M. before the Theatre, each provided with a blanket and one day's provisions; to be encamped on a week's tour of duty between the Town and Fort.

Punctual attendance in officers and men is at this crisis to be expected, and will be enforced. By order,

JAMES L. DONALDSON,
Adjutant 27th Regiment.

*Captain Kennedy.*

The following sections of the Act of November session, 1811, chap. 182, are those referred to by the Judge as giving the power to enforce the attendance of the militia; the 17th section applying only to drafted militia, and the 31st sect. to all cases when the militia are ordered into actual service.

17. *And be it enacted*, That in all cases where a militia man may be *draughted* to perform a tour of duty under this act, he shall be considered as a soldier, and liable to all the duties as such, unless he shall furnish a substitute; and the commanding officer of the regiment or extra battalion (as the case may be) to which he may belong, shall be the sole judge of the qualification of said substitute, and may receive or reject him at his discretion.—May, 1813, chap. 19, sec. 8.

31. *And be it enacted*, That when the whole or any part of the militia of this state shall be ordered into actual service, they shall be subject to the rules and regulations of the articles of war, and be entitled to the same pay and rations as troops in the service of the United States are entitled to receive.

## THE CHRONICLE.

*The Batture.*—The long contested claim to this valuable property, has, as we are informed by a letter from New-Orleans, been at last settled, and the cause probably laid at rest. By a decision of the U. States' court for the district of New-Orleans, the act of the late marshal, D'Orgenois, in dispossessing Mr. Edward Livingston of the batture, has been declared illegal, and he has been, by an order of the court, again put in possession by the present marshal. [*Nat. Int.*

By a mercantile gentleman, recently from Europe, we have been politely handed the following decree of the emperor. As we do not recollect to have seen it before, and presuming that it may be interesting to some of our commercial friends, we give it publicity. [*ib.*

"PARIS, 5th Feb. 1813.

"His imperial and royal majesty held on Tuesday last a council of finances, at which the duke of Gaete, minister of finance, and count Mollien, minister of the treasury, assisted. Amongst other measures prescribed by his majesty, it was decided that the claims for supplies delivered at St. Domingo, which have been liquidated in the sum of 7,100,000 francs, should be paid by the treasury in 3 per cent. stock; arising from property of this nature recovered by that department, as appears by their books. This payment will take place at the rate of 2,000,000 francs capital, or 100,000 francs interest per month, in March, April and May. The balance of 1,100,000 francs capital producing 33,000 francs interest, will be discharged in June.

Private letters from Paris state, that the above 7,100,000 francs are to be appropriated to the payment of claims originating under the administrations of governors Le Clerc to Rochambeau inclusively, and represent the sum 31 to 32,000,000 francs. All demands or claims of a prior date are null.

In the cartel ship arrived at New-York, Mr. De *Kantzow*, his lady and two daughters were passengers. This gentleman is minister plenipotentiary from the court of Sweden near the United States.

George III. yet lives, though politically dead. The bulletin at Windsor, July 3, said, "his majesty has generally passed the last month in tranquility and comfort."

We have a great quantity of news from Europe, since our last, but nothing very important is mentioned. The general aspect of things is decidedly in favor of a *continental peace*. Soult entered Spain by the Pass of St. Jean Pied de Port, with 45,000 men and forced the allies to raise the sieges of Pampeluna and St. Sebastians, with loss. *Wellington* had "fallen back on his resources." *England*, *Russia*, and *Prussia*, without specie, have issued a large quantity of paper, the payment of which is guaranteed by the three powers to carry on the war on the continent. *Bernadotte* gets all the *cash* they can send to the north. The French have collected a mighty army in Italy and large bodies of troops are moving to the head-quarters of *Napoleon*, to counsel the allies to peace. The British represent the forces of *Russia* as feeble, and are horror-struck at the facility with which Bonaparte has created his armies.

It is stated, by letters from France that the council of prizes are restoring many American vessels—the decrees of condemnation of the emperor himself in some cases being reversed.

By an arrival at New-York from Lisbon, it appears probable that the English general *Hill* has been killed, the whole of the division of the army under his command being destroyed or taken. Another account says, he only lost two regiments, and that the rest were retreating. *Soult* has arrived in Spain; and the allies with great precipitation were collecting their forces to withstand him. Will lord *Wellington* make as good a retreat as sir *John Moore?*

*From Mexico* we have a continuation of delightful views. The "*whiggery*" of the country prospers exceedingly. The patriots gather strength daily; and we trust, that God and the goodness of their cause, will give them, and all who seek liberty, the complete success they deserve.

# THE WEEKLY REGISTER.

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*Hæc olim meminisse juvabit.*—Virgil.

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## Anglo-Swedish Treaty.

TREATY OF CONSORT AND SUBSIDIES, BETWEEN HIS BRITANNIC MAJESTY AND THE KING OF SWEDEN, SIGNED AT STOCKHOLM ON THE SECOND OF MARCH, 1813.—*In the name of the most holy and indivisible trinity:*

His majesty the king of the united kingdom of Great Britain and Ireland, and his majesty the king of Sweden, equally animated with a desire of drawing closer the ties of friendship and good understanding which so happily subsists between them, and penetrated with the urgent necessity of establishing, the one with the other, a concerted intimacy, so as to insure the independence of the north; and in fine, to accelerate the so much desired epoch of a general peace, have agreed to accomplish this double object by the present treaty. To this effect, they have chosen for their plenipotentiaries, to wit: His royal highness the prince regent, in the name of, and for his majesty the king of the united kingdom of Great Britain and Ireland, the hon. Alexander Hope, major general of the armies of his majesty; and Edward Thorneton, envoy extraordinary and minister plenipotentiary near his majesty the king of Sweden. And the king of Sweden: Lawrens, count d'Engestrom, one of the lords of the kingdom of Sweden, minister of state and of foreign affairs, chancellor of the university of land, commandant of the orders of the king, knight of the royal order of Charles XIII, grand eagle of the legion of France; and Gustave, baron of Wettersted, chancellor of the court, commander of the order of the polar star, &c. all of whom, after having duly exchanged their respective full powers, have agreed to the following articles—to wit:

Article I. His majesty the king of Sweden pledges himself to employ a corps d'armee to consist of at least 30,000 men, to act exclusively upon the continent against the common enemy of the two high contracting parties. This army will act in concert with the Russian troops placed under the command of his highness the prince royal of Sweden, in conformity to stipulations to that effect, already existing between the courts of Stockholm and St. Petersburgh.

II. The said courts having communicated to his Britannic majesty the engagements subsisting between them, and having formally requested that his majesty accede to them, his majesty the king of Sweden having by the stipulations contained in the preceding article, given proof of the desire with which he is animated to contribute also to the success of the common cause; his Britannic majesty being desirous in return to give an immediate and unequivocal proof of his resolution to unite his interests with those of Sweden and Russia, pledges himself by the present treaty, to accede to those conventions, already existing between those two powers; so much so, that his Britannic majesty will, not only refrain from placing obstacles to the annexation and perpetual re-union of the kingdom of Norway, as an integral part of the kingdom of Sweden, but will facilitate in that respect, the views of his majesty the king of Sweden, either by good offices, or by employing, if it should be necessary, a naval co-operation, to act in concert with the Swedish or Russian troops. It being understood, nevertheless, that compulsive measures shall not be used to effect said re-union of Norway to Sweden, unless his majesty the king of Denmark should have previously refused to join the alliance of the north agreeably to the conditions stipulated in the existing engagements between the courts of Stockholm and St. Petersburg; and his majesty the king of Sweden pledges himself to take special care that in forming this re-union, all possible attention and consideration shall be used to promote the happiness and liberty of the people of Norway.

III. In order to give greater effect to the engagements contracted by his majesty the king of Sweden in the first article of the present treaty, which have for their object immediate operations against the common enemy of the two powers, and in order to place his majesty the king of Sweden in a state to commence said operations without loss of time, and as soon as the season will permit, his Britannic majesty pledges himself to furnish to his majesty the king of Sweden (independently of other succours which incidental circumstances may place at his disposal) for the service of the campaign of the present year, as well as for the equipment, the transportation, and the maintenance of his troops, the sum of one million sterling, payably monthly, in London, to the agent who may be authorised by his majesty to receive the same, in such a manner that the payment of each month shall not exceed the sum of £200,000 sterling until the payment of the total.

IV. It is agreed between the two contracting parties, that an advance, the amount of which shall be determined at the time of payment by the contracting parties, and which shall be deducted out of the million above stipulated, shall be made to his majesty the king of Sweden, to enable him to put his troops in motion at the opening of the campaign. The residue of the abovementioned subsidies shall commence running from the day of the debarkation of the Swedish army, as stipulated in the first article of the present treaty.

V. The two contracting powers mutually desiring a solid and durable guarantee to their relations, both political and commercial, his Britannic majesty, animated with a desire to give to his ally evident proofs of his sincere friendship, consents to cede to his majesty the king of Sweden and to his successors to the crown of Sweden, agreeably to the order of succession established by his majesty and the council of his kingdom, under date of the 26th September, 1810, the possession of Guadaloupe, in the West Indies, and to transfer to his Swedish majesty, all the rights of his Britannic majesty to that island. That colony shall be delivered to the commissioners of his Swedish majesty in the course of the month of August, in the present year, or three months after the debarkation of the Swedish troops upon the continent. The whole to take place in conformity to conditions agreed to between the two high contracting parties in the separate article annexed to the present treaty.

VI. As a reciprocal act to what is stipulated in the preceding article, his majesty the king of Sweden pledges himself to grant for the space of twenty

years, from the date of the ratification of the present treaty, to the subjects of his Britannic majesty, the right of *entrepot* in the ports of Gottenburg, Carlsham, and Stralsund, when this latter port shall have fallen under the Swedish dominion, for all kinds of produce and merchandise, either of Great Britain or of her colonies, laden on board of English or Swedish ships. The said articles, whether they be of a nature to be introduced into Sweeden by paying the duties, or that their introduction be prohibited, shall pay without distinction, as *entrepot* duty, one per cent of the value at their entry, and the same at the time they are carried away. Upon all other objects to which this article relates, they will be subjected to the general regulations of Sweden, which will treat the subjects of his Britannic majesty as those of the most favored nations.

VII. From the date of the signature of the present treaty, his majesty the king of the united kingdoms of Great Britain and Ireland, and his majesty the king of Sweden, engage reciprocally not to separate their mutual interests, and particularly those of Sweden, in any negociation whatever, with their common enemy.

VIII. The ratification of the present treaty shall be exchanged at Stockholm, in the space of four weeks or sooner if possible.

In faith of which, we the undersigned, in virtue of our full powers, have signed the present treaty, and have thereunto affixed the seal of our arms.

Done at Stockholm the 3d of March, in the year of our Lord 1813.

(Signed,) ALEXANDER HOPE,
EDWARD THORNETON,
Le Count D'ENGSTRAM,
G. Baron WETTERSTED.

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*Separate Articles.*

In consequence of the cession made by his Britannic majesty in article 5th of the treaty signed this day, of the Island of Guadaloupe, his Swedish majesty engages:

1st. To fulfill faithfully and observe the stipulations of the capitulation of the said island, which bears date the 5th of February, 1810, in such a manner, that all the privileges, rights, benefits, and prerogatives, confirmed by the said act, to the inhabitants of that colony, may be preserved and maintained.

2d. To make to that effect, previous to the above mentioned cession, with his Britannic majesty, all engagements which may be judged necessary, and to execute all the acts caused by said capitulation.

3d. To afford to the inhabitants of Guadaloupe the same protection and the same advantages which are enjoyed by the other subjects of his Swedish majesty, in conformity to the laws actually in existence in Sweden.

4th. To prevent and prohibit from the period of the cession, the introduction of African slaves in the said island, as well as into other possessions of his Swedish majesty in the West Indies, and to forbid Swedish subjects carrying on the slave trade; an engagement which his Swedish majesty is the more disposed to contract, as such acts never were authorised.

5th. To exclude, during the continuation of the present war, all armed vessels and privateers belonging to states at war with Great Britain, from the ports and harbours of Guadaloupe; and to forbid, in any future war in which Great Britain may be engaged, and Sweden remain neutral, the entrance into the ports of said colony, of privateers of any belligerent states.

6th. Not to alienate the said island without the consent of his Britannic majesty.

7th. To afford protection and safety to the subjects of his Britannic majesty and their property, whether they wish to quit the colony or remain in it.

This article will be of the same force and effect, as if it had been inserted word for word in the treaty signed this day, and shall be ratified at the same time.

Done at Stockholm, the 3d March, 1813.

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REMARKS BY COBBETT.

Of this treaty, the Whigs disapprove, because as they say, it makes great sacrifices without gaining any thing in return.—To be sure, it is not easy to discover what our government has gained by the treaty; for, it does not seem likely that his royal highness the crown prince will be able, if he be willing, to do much in the fighting way against his old friend and patron; but we, *the people* of this country, and of every country in the world, have gained greatly by this treaty, which acknowledges the legitimacy of the right of Bernadotte to the crown and dominions of Sweden, to the exclusion of the king, who was, some time ago, driven out of his throne.—A *principle* is here proclaimed by *our* government of the utmost importance to the welfare of Europe and the world. We here see it settled that a people may discard their king and choose another in his place, though that other be a foreigner; and that they may settle a succession in the family of that foreigner, to the exclusion of the heirs of the king discarded.

When Dr. Price preached a sermon, in which he stated "that at the revolution in England the point was settled that the people had a *right to discard their kings for misconduct*," Burke bellowed forth against him all the curses in the anti-jacobin list.—He denied the fact. He said that though, indeed, the order of succession was changed from one branch of the old king's family to another; that in fact, the order of succession was preserved as closely as possible, and that it was confined to the protestant part of the old royal family; that there was no right or acknowledged claim of choosing a king, or of descending a king or of making any change in the nature of the government. Something of the same sort is said by Blackstone who labors very hard to make it appear that the thing was right in practice, but wrong in principle; or in other words, to make his readers believe, that it was very right to effect such a change as would put the present family *upon the throne*; but that would be very wrong to effect such a change as would put them off *from the throne*.

Whatever might be the motives of these writers, and however they might be able to raise disputes, no doubt can be raised upon this point in the case of Sweden. For her, it is not one branch of the old family excluded in favor of another branch; here there was no dispute about religion; there was no question about Protestanism or Catholicism. The nation put away the late king and his heirs, and gave the crown to Mr. Bernadotte and his heirs in due succession, after the death of the late king's uncle. And observe our government does, *in the name of the most holy and undivided trinity*, recognize the full and complete right to the crown and his dominions of Sweden to be in the same Mr. Bernadotte and his heirs. Nothing can be more complete than this case. It is perfect in all its parts. Here is a king cashiered; here is an old reigning family set aside in the order of succession; here is a settlement of the crown in another family; and to complete the whole thing, the person at the head of that family is a *foreigner*; nay, and a *Frenchman* too! What

comfort this treaty must pour into the souls of the Bourbons and the other cashiered princes of Europe! I wish the anti-jacobins now to tell us what they think. Will they say the treaty was necessary in order to make war with success against Bonaparte? If they do, let them show us what Mr. Bernadotte has done or what he is likely to be able to do. If he should, from whatever cause, *do nothing*, I shall call upon them for their openly expressed opinion of this treaty, of which I highly approve, because it fully recognizes the right of the crown prince to the thrown and dominions of Sweeden.

# Barbarities of the Enemy.

DOCUMENTS

*Accompanying the report of the committee of the house of representatives, appointed to enquire into the spirit and manner in which the war has been waged by the enemy.*

No. I.

BAD TREATMENT OF AMERICAN PRISONERS BY THE BRITISH.

*Washington, May 24th, 1813.*

*Sir*,—I have received your favor of the 2d instant, and hasten to reply to the questions therein, respecting the case of captain Jedidiah Upton, late commander of the privateer brig Hunter, of Salem. Captain Upton was taken in the month, I believe of November last, off the Western Islands, by the British frigate Phœbe, captain Hilliard. In chase, captain Upton, as is usual in such cases, threw his guns overboard to ease his vessel, in hopes by that means to facilitate his escape from the enemy: but this not availing, he was, as above stated, taken and carried into Plymouth, in England, where, on his arrival, he was immediately, with his first-lieutenant, Mr. Wayne, put into Mill Prison and refused his parole on the plea that he had not on board, when captured, fourteen mounted carriage guns above the calibre of four pounders. After having been thus closely confined for three or four months in a filthy jail, they were in the month of March taken out and sent on board the prison ship at Chatham, where, when I left England in April last, they still were, in a worse situation, *if possible*, than in Mill Prison. The allowance, sir, to American prisoners in England, you are acquainted with; it is, therefore, not necessary for me to mention it here. It is but justice to state, that the captain of the Phœbe petitioned the transport board and used every exertion in his power to obtain the paroles of captain Upton and Mr. Wayne, but all would not do; they were deaf to his petition, lost as they are to every sentiment of honor, and every principle of humanity.

Except captain Upton and his first-lieutenant, all the rest of his officers and crew were sent on board the prison-ship on their first arrival at Plymouth; among them was the doctor of the Hunter, Mr. Carter, who came home in the cartel Robinson Potter. What I have stated respecting the treatment of captain Upton and Mr. Wayne, I know to be facts, as I had the *honor* of spending twenty-four hours in Mill Prison with them, and heard those facts related by themselves. Very respectfully, &c.

ALEXANDER COFFIN, Jr.

J. Mason, esq. commissary general of prisoners.

*Navy Yard, Charlestown, June 3d, 1813.*

*Sir*,—I have the honor to enclose you a deposition respecting inhuman treatment, which Mr. Nichols, late commander of the private armed ship Decatur, belonging to Newburyport, has received from the British government at Barbadoes. I have been credibly informed that captain Nichols is a very respectable and correct man, therefore a fair presumption, that he has not committed himself in such a manner as ought to deprive him of the established rights of a prisoner of war. Any measure which the government of our country may see proper to adopt in consequence of this communication, I shall readily attend to.

WM. BAINBRIDGE.

Hon. *Wm. Jones*, secretary of the navy, city of Washington.

I, James Foot, of Newburyport, in the county of Essex, and commonwealth of Massachusetts, mariner, testify and depose, that I was a prize-master on board the private armed brigantine Decatur, of Newburyport, in her last cruize, William Nichols, commander: That on the 18th day of January, now last past, the said brigantine was captured by his Britannic majesty's frigate Surprize, commanded by captain Cochran, and carried into Barbadoes. After our arrival in Barbadoes, capt. Nichols, with the other officers of the Decatur were paroled. About two months after our arrival his Britannic majesty's frigate Vesta arrived in Barbadoes, and through the influence of the commander of the Vesta, captain Nichols, without any known or pretended cause, was arrested and held in close confinement, without liberty to speak to any of his officers or any other American. The place where captain Nichols was confined was about four feet in width and seven feet in length, on board a prison-ship, where he remained for thirty-four days, as nearly as I can recollect, and was then taken on board his majesty's ship Tribune and carried to England. What the cause of the unwarrantable and unjustifiable conduct of the enemy towards capt. Nichols was, I am unable to state: there were several reports in circulation; one was, that he was to be carried to England and held a prisoner until the release of certain men in France, from whom captain Nichols recaptured his vessel, which had been taken by the British before the commencement of the present war between the two countries: another report was, that he was to be held until the close of the war on account of his having been active against the enemy since the commencement of hostilities, and having been fortunate in a former cruize. JAMES FOOT.

*Commonwealth of Massachusetts, Essex, ss.*

On this thirty first day of May, in the year of our lord 1813, personally appeared James Foot, the subscriber to the foregoing deposition and made solemn oath that the same is true.

Before me JACOB GERRISH, *justice of the peace.*

*Extract of a letter from the commissary-general of prisoners, to Alexander Stewart, esq. United States' agent for prisoners, at Jamaica, dated* May 1st, 1813.

"I enclose you a copy of an advertisement, said to have been taken from a Jamaica newspaper, apparently put forth by the British agent for prisoners, proposing to hire out American prisoners: you will enquire into this matter, and if it be as has been stated, you will remonstrate strongly against such a practice, and inform me of the practice, and the result."

[Referred to in the preceding extract.

*Port Royal, 25th November, 1812.*

Masters of vessels about to proceed to England with convoy, are informed that they may be supplied with a limited number of American seamen (prisoners of war) to assist in navigating their vessels, on the usual terms, by applying to

GEORGE MAUDE, *agent.*

*Extract from a memorial addressed to the secretary of state by James Orm, Joseph B. Cook, Thomas Humphries and others, masters of American vessels, who were prisoners of war in England, and returned to the United States in the cartel ship Robinson Potter.*

"We shall now proceed to give as correct a statement as we can of the treatment of our countrymen (prisoners of war) by the British in England. On the arrival at Plymouth of the masters, first mates, supercargoes and passengers, they are sent to Mill Prison for one day and night; they have an iron bedstead to sleep on, with a small matrass which might easily be put into a countryman's wallet, and a small coarse blanket. The allowance for twenty-four hours are three small salt herrings or about the same weight of salted cod-fish, or half a pound of beef, one and a half pounds of black bread, a little salt, &c. The second day they are paroled and sent to Ashburton, twenty-four miles from Plymouth; they must pay their own expences to get there. While they are there, they are allowed 1*s. 5d.* per diem, or 8*s. 9d.* sterling, per week. Beef is 10*d.* per pound, bread in proportion, and every other necessary equally dear. The mates, who have nothing but their pay to live upon, join together, eight or ten in a mess, hire a room and do their own cooking, washing, &c. and in this way make out to keep from starving. Masters, supercargoes and passengers generally have other resources, through their correspondents in England, and make out to live, by great economy, at from 30 to 35*s.* sterling per week; the second mates and other officers are sent on board the different prison-ships. On board some of them they are treated by the commanding officer as well as the nature of the situation will admit; on board of some others they are badly treated. This, it will naturally occur to you, sir, is owing to the different characters of the different commanders. Their allowance is 10 1-2 lb. brown bread, 2 1-2 lb. beef, 2 lb. bad fish, 2 lb. potatoes, and 10 ounces barley per week for each man, and 5 ounces of salt per week for ten men. The prison ships are kept very filthy, and the prisoners are confined below at 4 P. M. and are kept in that situation until 7 or 8 A. M. At Portsmouth particularly, they are very sickly, and we are informed die very fast, some days from 8 to 10; in fact, they are very sickly on board all of them; several of this description came home with us in the Robinson Potter cartel, and had, when they came on board, the appearance of having made their escape from a church-yard. It is not, perhaps, amiss that we should state what we firmly believe; that is, it is the policy of the British government to select the sickly to be first sent in cartels, and keep the hale and hardy seamen until they become sickly, thus rendering the whole of those gallant sons of Neptune who escape death, when they return to their homes, at least for some time, perfectly useless to themselves and quite so to their country from their debilitated state; and, in fact, the probability is, that many of them will carry to their graves the indelible stamp upon their constitutions of the treatment which they received on board British prison-ships; for that person seems to have lost its borrowed humanity, and if we did not find the word in their vocabulary we should suppose it had never found a place there. Many of the seamen, prisoners on board those prison-ships, are impressed Americans who have given themselves up, refusing to fight against their country. Four hundred on board the fleet in the Mediterranean, a short time before we left England, surrendered themselves and were sent to Gibraltar and England; several of them were most severely flogged for refusing to do their duty, were put in irons, and most of them, to their immortal credit, submitted to the severest punishment in preference to assist the enemies of their country. Some of us, whose signatures are annexed, were witnesses to the cruel fact. A tablet of gold is not rich enough to inscribe the names of such men upon, and when a country can boast of such seamen, she has nothing to fear from the enemy on the ocean on an equal footing. Capt. Jedidiah Upton, late master of the private armed brig Hunter, of Salem, of 14 guns, because he threw them overboard in chase, was not allowed his parole, but kept in close confinement for a long time in Mill Prison, and lately has been sent on board a prison-ship at Chatham. We mention these facts in hopes that government will retaliate exactly in the same way. Captain Samuel Turner, late master of the Purse schooner, of New-York, was taken on his passage to France in October, 1811, prior to the war, and in retaking his vessel, the prize-master, a British midshipman, was killed; he arrived safely in France, and on his return to America was again taken, in June, 1812, and sent to England, when being recognized, he was immediately arrested and sent on board the St. Salvador, admiral Calder's flag ship, at Plymouth, where he remained a close prisoner until about January or February last, when he was sent on board the prison-ship at Chatham, where we fear he will remain until death relieves him: he has been very ill

treated, much abused, put in irons, and afterwards threatened to be hanged. These facts, some of us who sign this, were witness to. We pray, in the name of justice, that government will take, without delay, the case of captain Turner into their serious consideration; it is a case which we think demands it, and the only way to prevent that nation from committing further outrages so degrading to human nature. We find in Roman history, that an injury or insult offered to a Roman citizen by a foreign power was considered as an insult offered the whole Roman nation, and hope this will also be the American creed, because we believe it will be the surest way of putting a stop to those indignities which Americans have so often been obliged to suffer. We are, however, no advocates for cruelty, but on the contrary, for lenity; yet we will still believe, that in certain cases retaliation is not only necessary but becomes a duty to prevent further cruelties on the part of an enemy."

*Nassau, November 27, 1812.*

Dear Brother,—I embrace this, the earliest opportunity of communicating to you, that on the 9th instant, fifteen days out, we fell in with and captured the fine copper-bottomed ship Venus, vessel and cargo worth at least twenty-five thousand dollars. On the 12th, pursuing our course and within five days run of your place, we were captured by his majesty's sloop Moselle, George Moubray, commander, and brought into this place. We remained on board the sloop two or three days, and on the 19th were transferred from thence to the prison-ship where we are now imprisoned, with an allowance of six ounces of bread, three gills of rice, eight ounces of the worst of beef, including bone, which is as much as meat, with as much brackish water as we can use; guarded day and night by ten or fifteen savage Africans, who are total strangers to humanity, and confined every evening at sun-down, not to be released until next morning at sun-rise, abused to the lowest degree by the guard; and compelled to find salt for and cook our own victuals with green mangoes. None of us are ever permitted, under any condition whatever, to visit the shores, with many other barbarous acts, which are too numerous to describe. This will be conveyed by the cartel sloop, captain Cooper, being the second cartel which has sailed since our arrival here. A schooner from Baltimore was only allowed eight men, and Cooper, who brought sixty-four prisoners, is only allowed eighteen in return, while we, eighteen in number, are detained in this miserable place; for which we cannot assign any reason, except to punish us as privateersmen, or as hostages for those twelve lately detained in Charleston; this last is the general belief, and as such, I deem a communication of the circumstance essential to commodore Dent, commander of the southern station, that he may look to it and enquire the cause why Americans are to be detained here two or three months, while more prisoners have been received here, by a great many, than what have been sent to the United States. Men who have arrived here since we, have been sent off; they proceed with no degree of regularity in the exchange of prisoners, and act in open contradiction to every thing right, and really believe, that except you make known the circumstance and use some favorable exertions, that some of us will be intentionally detained until the end of our present contest with Great Britain. As I wish your exertions for our exchange, I have subjoined a list of those who are thus miserably treated, that we may be demanded in a proper way. The Rapia's crew have been imprisoned here near three months, and have now no prospect of getting away, while the crews of two other privateers have been released.

*Crew of the Lovely Lass.*—Lieut. Antine Lambert, Wm. L. Robeson, William Thomas, John Crandel, David Ashton, John Gamache, John Hynes, Darius Swain, John M'Kenzie.

*Rapid's crew.*—Captain Lameson, Peter La Vella, George Alexander, James T. Miller, Francis Martin, Gaugion Bigulows.

*Other prisoners.*—Simon West, Mathew Bridge.

I wrote Mr. Peck and requested him to forward me a letter of introduction to some one here and also a protection shewing that I am an American. As it is possible that he may not get my letter, you will notice my request and pay that attention which it deserves. I mentioned in my letter to Mr. Peck, that any funds which I received here would be returned on application, as my expenditure will, through an economical principle, be as small as possible. I indulge the hope that you will conform to my wishes in this particular, and also inform Mr. Kelly of our imprisonment here, and request his influence in facilitating our exchange, with any other service.

We have no chance of gaining information here. Every person uses every exertion to keep us in ignorance; however, we are enabled to say, that the English prisoners have generally combined in speaking of the treatment they received in the U. States.

WM. L. ROBESON.

*Capt. Thomas J. Robeson.*

N. B. The Moselle, Rhodian and Variable, three men of war, have just convoyed five or six vessels over the bar bound to some part of England; it is supposed that they will return to cruize off Charleston. In case you address or send any thing for me to this place, you will direct to the care of Messrs. Bain, Dunshie & co. merchants here. I am yours, &c.

W. L. R.

*Hartford, May 9, 1813.*

Sir,—Annexed is captain Samuel Chew's deposition, taken before judge Edwards at New-Haven. We expected it in season to have forwarded it by Mr. Dodd, but received it last evening by Mr. Huntington, the United States' attorney for Connecticut district, and now forward it to you per mail. Yours respectfully,

LUTHER SAVAGE & Co.

*Hon. James Monroe.*

Connecticut District, ss.

On this day, the 7th of May, in the year of our Lord eighteen hundred and thirteen, personally came before me, Pierpont Edwards, judge of the district court of the United States, for the district aforesaid, Samuel Chew, of the city of New Haven, in the said district, and being duly sworn, deposeth, that he was at Bridgetown, in the island of Barbadoes, in the West Indies, in the month of February now last past; that on board a British prison-ship at Barbadoes, there were confined about 523 American prisoners of the crews of private armed vessels of the United States and merchantmen, captured since the war. At the time the deponent was at Barbadoes the American prisoners were supplied with bread, and *some* meat; as to vegetables, the deponent was not informed. The regulations on board the said prison-ship compelled the prisoners to go below decks, where they were confined at evening and until morning; as many as could were suspended in hammocks, and still there was not sufficient room below them for all to lie down. In this respect the situation of the prisoners was not only extremely uncomfortable, but hazardous, and more especially, should there be, as was apprehended, a scarcity of provisions during the approaching hot months. The deponent was not permitted to go on board said prison-ship, but derived his information from masters of vessels, prisoners at said island, who were allowed occasionally to go on board said prison-ship, with whom the deponent is personally acquainted, and in whose representations he has the most perfect confidence, and entertains no doubt of the facts by them stated; and this statement is given at the request of the friends of some of the prisoners at Barbadoes, particularly of the crew of the privateer Blockade, of Hartford.

PIERPONT EDWARDS.

*District judge of Connecticut district.*

I, Pierpont Edwards, judge of the district court of the United States for the Connecticut district, do hereby certify and make known to all whom it may concern, that captain Samuel Chew, the within named deponent, is a gentleman to me well known, having known him for many years; he is the son of captain Samuel Chew, late of the city of New Haven, deceased, and who fell by a cannon ball on board an American vessel during the revolutionary war: that the said deponent is a man of strict integrity, and attached to the constitution and government of the United States, and the most perfect confidence is due to his said representations so as aforesaid sworn to. PIERPONT EDWARDS.

*District judge of Connecticut district.*

## Milville Prison, August 30, 1812.

SIR,—We the subscribers, for ourselves and our countrymen, now confined as prisoners of war in Milville Prison, Halifax, Nova-Scotia, beg leave to represent to the American government—That most of us have for years past, made commerce our sole employment and hope, in which, for seven years or more, we have often been wantonly robbed by the English of what we had acquired by industry and danger, and while they stript us of our property, they often treated us with the greatest indignity, and even barbarity.

We have seen and known that they have often violated the sacred privilege of individual liberty and the law of nations: we are conscious of the long forbearance of our government, and their repeated calls upon the honor and justice of the British nation which, instead of redress, added other injuries; and when the hope of amicable remuneration had failed, and for retaliation our government was forced to the last resort, an appeal to arms, we felt the justness of our cause and hoped for the blessing of heaven for success. To serve our country and to make up the losses we had sustained, we, under commissions from the president of the United States, entered on board of private armed vessels, and have unfortunately been captured by the British. We would state, that in many instances after we had struck our colors, we were fired upon by cannon and muskets, broadsides and volleys, and some of our men killed, and after our captors had come on board some of us have been struck and severely wounded with cutlasses, without the least provocation for such inhumanity. Our American protections have been forced from us and destroyed, and some native American citizens have been taken out of our privateers and put on board British ships, and there obliged to serve. Most of us have been robbed of every thing, even of necessary clothing. When we were going from the ships to prison the officers would not permit us to take our clothing and baggage with us, but pledged themselves that they should be sent to prison; but disregarding their honor, we have lost all. Some of us have been marched thirty, and some sixty, and some one hundred and sixty miles over a miserable country, forced along beyond our strength, half starved and some in irons. Our allowance, each man per day, one and an half pounds of bread, half pound poor beef, well proportioned with bone, one gill of peas, one-third ounce of salt. We are without wearing apparel and without money, or any means of procuring them. A cold winter in this wretched country fast approaches, and in our destitute situation we must endure every thing, and many of us must perish. There are now of us in prison upwards of twelve hundred. Every art has been practiced by the English officers to excite disaffection in our men to the American government, and to induce them to enter into the English service. Necessity may oblige some to desert us and enter into British servitude, but we trust that speedy relief from our government will save them from that wretched alternative of perishing with want or joining our enemies. For ourselves and the rest of the prisoners we must say, we have now no fortune to devote to the service of our country, but we have hearts which yet feel warmly the general impulse, and which we pledge, if opportunity ever again presents, to devote in the interest and service of our country. We are now sufferers, but will cheerfully suffer every hardship of war rather than sue for dishonorable peace.

We respectfully request an exchange or some provision for relief. We feel the fullest confidence in our government, and that we need only to apprize them of our situation to insure their assistance and protection. Yours, &c.

| | |
|---|---|
| Joseph Starr, Boston, | Solomon Norton, Boston, |
| Frederick Johnson, New-York, | Alex. B. Lathaon, New London |
| Robert M'Kearney, New-York, | Darius Denison, New-York, |
| Richard Rhea, New-Jersey, | Eastwick Pray, Portsmouth, |
| George Batterman, Boston, | William Temold, Portsmouth, |

John Hazelton, Boston, Fobes Dala, Portland.
William Dyer, Boston, Chs. Thompson, jun. New-York.
James Trask, Boston,
Hon. *James Monroe*, secretary of state.

No. II.

## DETENTION OF AMERICAN PRISONERS AS BRITISH SUBJECTS.

*Office of Commissary General of Prisoners,*
*Washington, June 10, 1813.*

SIR,—I have the honor to transmit the copy of a letter from captain Stewart, commanding the United States' naval forces at Norfolk, dated the 20th of May, to admiral Warren, and that of a letter from rear-admiral Cockburn, dated 21st May, in reply, relative to a most unjustifiable act of commodore Berresford, as to part of the officers and crew of the late United States' brig Vixen at the mouth of the Delaware. Leaving the general question of the interference of commodore Berresford with these prisoners of war returning on a parole, and the exaction made by him in consequence of the irregular power thus assumed, on the ground on which captain Stewart has very properly placed it, I will remark, that captain Stewart was certainly misapprehended by admiral Cockburn, in attributing to him the intention of conveying a threat, as to the final detention of two of the American prisoners; on the contrary, the expression used by captain Stewart communicates in very plain terms the decision of this government then already made; that four of his Britannic majesty's subjects should be immediately selected and held in durance, subject to the same treatment in all respects, &c.

And I have now to inform you, sir, that in virtue of this decision, and by an order from this office, the marshal of Massachusetts has designated and placed in close confinement William Kitto, carpenter, and Thomas Beddingfield, boatswain, of the late British packet Swallow; and John Squirrell and James Russel, seamen of the Dragon, seventy-four, subjects of his Britannic majesty, to be held responsible for the safety of John Stevens, carpenter, and Thomas King, seaman, part of the crew of the United States' brig Vixen.

I flatter myself, sir, that this subject will command your early attention, and that you will cause the officer and seaman of the Vixen to be immediately released and returned to this country, according to their destination when taken from the cartel.

Very respectfully, &c.
(Signed) J. MASON.

Colonel *Thomas Barclay*, &c. &c.

*H. M. S. Poictiers, May 8, 1813.*

SIR,—I am sorry I am under the necessity of detaining J. Stevens and T. King, late of the Vixen, in consequence of their being British subjects. I am sir, &c.

J. P. BERRESFORD.

*To lieut. Drayton.*

The original is in the possession of the commissary general of prisoners. W. JONES.

*Navy Department, May 17, 1813.*

SIR—You are hereby authorised and instructed to address a letter to admiral sir John Borlase Warren, representing the following facts and determination, viz. That a part of the officers and crew of the late United States' brig Vixen were returning from Jamaica on parole, as prisoners of war, and entering the Delaware, when commodore Berresford caused them to be brought on board the Poictiers and detained until a part of the crew of that ship, whom he demanded in exchange, were sent down from Philadelphia; that ultimately he detained John Stephens, carpenter, and Thomas King, seaman, two of the aforesaid crew of the Vixen, on the plea of their being British subjects, as appears by a letter from commodore Berresford to lieut. Drayton, late 1st of the said brig Vixen; and that you are commanded explicitly to declare, that in retaliation for the violent and unjust detention of the said John Stephens and Thomas King, the government of the United States will immediately cause *four* British subjects to be selected and held in duress, subject to the same treatment in all respects that the said John Stevens and Thomas King may receive during their detention.

On the receipt of the admiral's answer, you will communicate the same to me without delay. I am respectfully, &c.

W. JONES.

*Charles Stewart*, esq. commanding naval officer, Norfolk, (Va.)

*United States' frigate Constellation,*
*Off Norfolk, May 20, 1813.*

Sir,—I have the honor to represent to your excellency, that a part of the officers and crew of the late United States' brig Vixen, returning from Jamaica on parole as prisoners of war, were, on entering the Delaware, taken out of the flag of truce by commodore Berresford, commanding on that station, and detained until a part of the crew of the Poictiers, then prisoners at Philadelphia, were demanded by him and sent down in exchange; that ultimately he detained on board the Poictiers, John Stephens, carpenter, and Thomas King, seaman, late of the United States' brig Vixen, on plea of their being subjects of his Britannic majesty.

This violation of the rights of prisoners on parole, is so contrary to the usage of all civilized nations, that I trust your excellency will give such instructions upon that head as will prevent a similar violation in future.

I have it in command from my government to state to your excellency, that in retaliation for so violent and unjust a procedure on the part of commodore Berresford in detaining the above Mr. John Stevens and Thomas King, that four subjects of his Britannic majesty will be immediately selected and held in durance, subject to the same treatment in all respects, which may be shown towards the aforesaid two persons during their detention. I hope your excellency will give this subject your earliest attention and direct the release of Mr. Stevens and Thomas King who have been so improperly detained on board the Poictiers.

I have the honor to be, &c.
(Signed) CHARLES STEWART.

*Commanding officer of the United States naval force at Norfolk.*

To his excellency the right hon. sir John B. Warren, admiral of the blue, and commander in chief of his Britannic majesty's naval forces on the American station.

*His Britannic majesty's ship Marlborough,*
*In Lynnhaven Bay, 21st May, 1813.*

Sir,—In the absence of sir John B. Warren I have the honor to acknowledge the receipt of your letter under date of the 20th current, complaining of the conduct of commodore Berresford towards the American prisoners of war returning to Philadelphia on parole, and of his having detained on board the Poictiers, Mr. John Stevens and Thomas King.

No report of these circumstances have yet reached sir John Warren or myself from commodore Berresford, but I have no hesitation in assuring you, sir, that every inquiry would have been made into them, and every satisfaction and explanation therein, which the case might have required, would have been offered to your government and yourself with the least possible delay, had it not been for the threat with which your representation on this subject is accompanied, the tenor of which being likely to produce an entire change in the aspect of our communications, and particularly in what relates to the individuals which the fate of war has placed within the power of our respective nations; it totally precludes the possibility of my now entering further into the subject than to assure you, your letter shall be transmitted to the right honorable the commander in chief by the earliest opportunity, and whenever his answer arrives it shall be forwarded to you without delay.

I have the honor to be, sir, with high consideration, your most obedient humble servant, C. COCKBURN, *rear-admiral.*

Captain Stewart, commanding the naval force of the United States, at Norfolk.

*Shark, Port-Royal, (Jamaica) March 29, 1813.*

Sir,—Captain Moubray, of his majesty's sloop Moselle, has just sent to me the copy of a letter from you to him, and another to Mr. Cook, of his majesty's late sloop Rhodian, dated the 25th ultimo, respecting six men,* mentioned in the margin, who were sent here from the Bahamas as having been taken in the American privateer Sarah Ann, and supposed to be subjects of his majesty; but as no proof to what country they belong has been adduced, it has never been my intention to bring them to trial, and they are at present on board of the prison-ships waiting an exchange of prisoners. I am, sir, your most obedient humble servant,

(Signed) CHARLES STIRLING, *vice admiral.*

*Charles R. Simpson, esq.*

*Harlem, June 1, 1813.*

Sir,—I beg leave to refer you to a communication which took place some time in the autumn or winter preceding, between Mr. Baker, his majesty's late agent for prisoners of war, and Mr. Monroe, secretary of state, respecting six of the crew of the late American privateer Sarah Ann, Richard Moore, master, captured by his majesty's sloop Rhodian, John George Ross, esq. commander, whose names† are inserted in the margin, and who it appears were sent to Jamaica, to which station the Rhodian belonged, on suspicion of their being subjects of his majesty: and I further request your attention to a letter from major-general Pinckney to the secretary at war, dated head-quarters, Charleston, 4th of November, 1812, from which it appears that twelve of his majesty's subjects, then prisoners of war at Charleston, were held in prison to answer in their persons for the fate of the six men, of the Sarah Ann, privateer, sent to Jamaica.

I have the honor to enclose you the copy of a letter from vice-admiral Stirling, commanding his majesty's ships of war on the Jamaica station, to Mr. Simpson, late sub agent for prisoners of war at Charleston, from which you will perceive, that the six men of the Sarah Ann are considered by the admiral as American prisoners generally, and are now on board a prison-ship, in common with other American prisoners.

Having given you this information with respect to the six men of the Sarah Ann privateer, I have to request you will take the necessary measures to trace the contingent responsibility which it was thought proper to attach to the persons of twelve British seamen, now in prison in Charleston, taken off, and that they may be informed thereof.

I understand that John Gaul, one of the six men, was paroled and arrived at Georgetown, South-Carolina, in the brig Cyprus, and that he has reported himself to the marshal, who informed Mr. Simpson "that he had sent on to the department of state his parole." I have the honor to be, &c.

(Signed) THOMAS BARCLAY.

*General Mason.*

*Office of Commissary General of Prisoners,*
*Washington, June 9, 1813.*

Sir,—I learn with pleasure by the letter you did me the honor to address me on the first instant, and the letter from admiral Stirling you have enclosed, that the six men belonging to the American privateer Sarah Ann, detained in October last and sent to Jamaica to be tried as British subjects, have been restored to the ordinary state of prisoners of war to wait an exchange; and that there is now no intention to bring them to trial.

I very cheerfully comply with your request, sir, and have this day directed the marshal of South Carolina to restore in like manner to the ordinary state of prisoners of war, the twelve British

* Edward Dick, Thomas Rodgers, Adam Taylor, John Gaul, Mike Pluck, George G. Roberts.

† Edward Dick, Thomas Rodgers, Adam Taylor, John Gaul, Mike Pluck, George G. Roberts.

seamen confined under the orders of this government by him, and to inform them, that the responsibility attached to their persons for the safety of the men of the Sarah Ann has been taken off.

Very respectfully, &c.

(Signed) J. MASON.

*Col. Thomas Barclay.*

*Chilicothe, June 8, 1813.*

Sir,—I feel it my duty to lay before you the case of William M'Dowell Scott, late of Detroit, an unfortunate fellow-citizen, who has been seized and apprehended by the British commanding officer at Detroit and sent to Quebec, where he is now confined under pretence of being a British subject, and one found in arms in behalf of the United States against that government.

William M'Dowell Scott is a native of Ireland, and emigrated to the United States about eighteen years since. He resided for some years in the state of New-York, and in the summer of 1800, he came to Detroit, established himself as a physician, and has ever since resided there. He has been naturalized agreeably to the laws of the United States, and this fact is well known to the British government: and both in the territory of Indiana, before that territory was divided, and subsequently in the territory of Michigan, he has held and filled, with respect and fidelity, some of the first offices in those two territories.

Such, for example, as a justice of the peace and a judge of the common pleas in the Indiana territory; and subsequently marshal of the territory of Michigan.

In all these offices, sir, and in every other situation in which Dr. Scott's public and political character has been or can be viewed, he has uniformly manifested an undeviating attachment to the principles of our constitution, and the administration of this government.

His support in the present cause, during the time that general Hull lay at Sandwich and Detroit, was not outdone by any person whatever. In fact, it was his unwearied exertions that have provoked and spirited up the British to that line of conduct and persecution they are now pursuing towards him.

Proctor, who sent him from Detroit, and sir George Prevost, who received him at fort George and forwarded him to Quebec, threaten to treat him with all the severities authorized by the laws of nations, and the usages of war, in cases of an actual bona fide British subject found in arms against that government.

I do not for myself, however, entertain a belief that they will dare to put their threats in execution to their full extent. But, sir, without the interference of the government they will detain him during the war, and they will make his life so wretched and miserable that death would be a welcome messenger.

I hope, sir, the occasion will be a sufficient apology for obtruding this communication upon you. I am amongst the number of those who have not the honor of a personal acquaintance with you. But general Taylor, who I look to as the bearer of it, is a gentleman to whom I am personally known, and who has likewise a pretty correct knowledge of the character of Dr. Scott.

I have the honor to be, &c. E. BRUSH.

*The honorable James Monroe, esq.*

Extract of a letter from John Mitchell, esq. agent for American prisoners of war at Halifax, to the secretary of state, dated May 28th, 1813.

"I have just been informed by the agent for prisoners, that Mr. John Light, of the Julian Smith, a privateer commanded by captain Henry Cooper, will be detained here in consequence of his having, previous to the war, taken the oath of allegiance in this province, (Nova Scotia) and commanded a vessel out of this place (Halifax.) Mr. Light was lieutenant of the privateer when captured by the Nymph, the 12th May, 1813."

COL. W. SCOTT TO THE SECRETARY OF WAR.

*Washington, January 30, 1813.*

Sir,—I think it my duty to lay before the department, that on the arrival at Quebec of the American prisoners of war surrendered at Queenstown, they were mustered and examined by British officers appointed to that duty, and every native born of the united kingdom of Great Britain and Ireland sequestered and sent on board a ship of war then in that harbor. The vessel in a few days thereafter sailed for England with those persons on board.

Between fifteen and twenty persons were thus taken from us, principally natives of Ireland, several of whom were known by their platoon officers to be naturalized citizens of the United States, and others to have been long residents within the same. One in particular, whose name has escaped me, besides having complied with all the conditions of our naturalization laws, was represented by his officers to have left a wife and five children, all of them born within the state of New-York.

I distinctly understood, as well from the officer who came on board the prison-ship for the above purpose as from others, with whom I remonstrated on this subject, that it was the determination of the British government, as expressed through sir George Prevost, to punish every man whom it might subject to its power, found in arms against the British king, contrary to his native allegiance. I have the honor to be, &c.

(Signed) W. SCOTT, *late Col. U. S. 2d Artillery.*

GEN. BEASLEY TO THE SECRETARY OF STATE.

*London, March 1, 1813.*

Sir,—Annexed you have a copy of a letter from Henry Kelly, in behalf of himself and twenty-two persons. He states, that they are all citizens of the United States, and have wives and families there; that they were taken in October in Upper Canada, and that they were sent to this country because they were born within the British dominions. I am very respectfully, &c.

(Signed) R. G. BEASLEY.

*On board H. M. S. Namur, lying at the Nore, Feb. 8, 1813.*

Sir,—This is to inform you of the undermained twenty-three American soldiers, belonging to the 13th, 6th and 1st regiments of the United States armies. We were taken on the 13th of October in Upper Canada. The reason of their sending us twenty-three here is we were born in the British dominions, though we are all citizens of the United States, and have our wives and children there. We are in a very miserable situation for clothing, having drawn no winter clothes before we were taken. We therefore hope you will send us some relief to shelter us from the inclemency of the weather. Sir, I remain your obedient servant.

(Signed) HENRY KELLY.

Sir, these are the names of my fellow-sufferers:—Henry Blaney, George M'Cannon, John Dolton, Michael Condin, John Clark, Peter Burr, Andrew Doyle, John M'Gowan, James Gill, John Fulsum, Patrick M'Brahurty, Mathew Mooney, Patrick Karns, John Fitzgerald, John Wiley, John Donnelly, John Curry, Nathan Shaley, Edward M'Garigan, John Dinnue, John Williams, George Johnson.

*Mr. R. G. Beasley.*

Extract of a letter from admiral sir John Borlase Warren to the secretary of state, dated *Bermuda, March 8*, 1813.

"I must refer you to my letter of the 30th of September, 1812, in which I stated the circumstance of twelve men belonging to the Guerriere, taken out of a cartel by commodore Rodgers, and illegally detained, upon the pretext of six others, who were supposed to be British subjects, having been sent to the united kingdom for examination; since that event, five of these people, named in the enclosed list, have been received at Halifax with orders for their discharge. I therefore request you will communicate these particulars to the president, in order that further directions may be given respecting the Guerriere's men, so long confined at Boston, and to obviate the other inconveniences which must inevitably arise from such practices."

THE SECRETARY OF STATE TO ADMIRAL WARREN.

*Extract, dated April 16, 1813.*

"It appears by your letter (of the 8th of March, from Bermuda) that five only of the seamen that were taken on board the Nautilus and sent to England, in confinement, have been returned. No account is given of the sixth. Orders have been issued for the release of ten of the twelve men, who, on a principle of retaliation, were confined by commodore Rodgers at Boston. You will be sensible that it will be impossible, on that principle, to discharge the other two men until the sixth American seaman is returned, or such an explanation given, of the cause of his detention, as, according to the circumstances of the case, regarding the conduct of the British government towards American seamen under similar circumstances, ought to be satisfactory."

Extract of a letter from lieutenant F. H. Babbitt to master commandant Wm. M. Crane, of the U. S. navy, (late of the U. S. brig Nautilus) dated *Boston, (Mass.) 13th Sept.* 1812.

Enclosed I send you a description of the proportion of our little crew, who have been so debased and traitorous as to enter the service of our enemy. Also, a list* of those gallant fellows, whose glory it would have been to have lost their lives in the service of their country, and whose misfortune it has been to cross the *Atlantic* on suspicion of their being British subjects: four of them native born Americans, and two naturalized citizens. On their parting with me, and removal from the Africa, of 64 guns to the Thetis frigate (the latter with a convoy from England, then in 43, 30, N. and 46, 30, W.) their last request and desire was, that I would particularly acquaint you with their situation, with their determination never to prove *traitors* to that country whose flag they were proud to serve under, and whose welfare and prosperity they equally hoped and anticipated to realise.

(Signed) F. H. BABBITT.

A list of men said to have entered on board his B. M. frigate Shannon, commodore Broke. Their description as far as known.

Jesse Bates, seaman, about 5 feet 9 inches high, dark hair and complexion, dark snapping eyes, has an impediment in his speech, and at times affects lunacy; has a wife and family in Boston, Mass.

Samuel Lang, marine, born in Kentucky, 5 feet 8 inches high, or thereabouts, and is supposed to be enlisted with captain Hall of the U. S. marines, New-York.

John Young, marine, 5 feet 5 inches high, large mouth, enlisted with captain Hall, navy-yard, New-York; when addressed or is addressing an officer, casts down his eyes. For his particular description as well as that of John Rose, marine, about 5 feet 8 inches high, brown hair, full face, thick set and a scowl on his countenance, refer to captain John Hall.

John O'Neal, seaman, about 24 years of age, 5 feet 5 inches high, dark hair, sharp face, dark eyes, thick set, and was shipped at Norfolk, Va. previous to your taking the command of the Nautilus.

William Jones, col. seaman, about 5 feet 8 inches high, light hair, 24 years of age, full face, thick set, down cast look, and is a very alert man; entered at New-York April last.

(Signed) F. H. B.

SIR JOHN BORLASE WARREN TO MR. MONROE.

*Halifax, 30th September*, 1812.

SIR—Having received information that a most unauthorised act has been committed by commodore Rodgers, in forcibly seizing twelve British seamen, prisoners of war, late belonging to the Guerriere, and taken out of the English cartel brig Endeavor, on her passage down the harbor of Boston, after they had been regularly embarked on board of her for an exchange, agreeably to the arrangements settled between the two countries, and that the said British seamen, so seized, are now detained on board the United States' frigate President, as hostages; I feel myself called upon to request, sir, your most serious attention to a measure so fraught with mischief and inconvenience, destructive of the good faith of a flag of truce and the sacred protection of a cartel. I should be extremely sorry that the imprudent act of an officer should involve consequences so particularly severe as the present instance must naturally produce if repeated; and although it is very much my wish, during the continuance of the differences existing

between the two countries, to adopt every measure that might render the effect of war less rigorous, yet, in another point of view, the conviction of the duty I owe my country would, in the event of such grievances as I have already stated being continued, not admit of any hesitation in retaliatory decisions; but as I am persuaded of the high liberality of your sentiments, and that the act complained of has originated entirely with the officer who committed it, and that it will be as censurable in your consideration as it deserves, I rely upon your taking such steps as will prevent a recurrence of conduct so extremely reprehensible in every shape.

I have the honor to be, &c.

(Signed) JOHN BORLASE WARREN,
*Admiral of the Blue, and Commander in Chief, &c.*

His excellency James Munroe, Esq.
Secretary of State.

MR. MUNROE TO SIR JOHN BORLASE WARREN.

*Department of State, October 28, 1812.*

SIR—I have had the honor to receive your communication of the 30th September, complaining that commodore Rodgers commanding a squadron of the United States' navy at the port of Boston, had taken twelve British seamen, lately belonging to his Britannic majesty's ship the Guerriere, from a cartel in the harbor of Boston, and that he detained them on board the President, a frigate of the United States, as hostages,

I am instructed to inform you that enquiry shall be made into the circumstances attending and the causes which produced the act of which you complain, and that such measures will be taken, on a knowledge of them, as may comport with the rights of both nations, and may be proper in the case to which they relate.

I beg you, sir, to be assured that it is the sincere desire of the president to see (and to promote so far as depends upon the United States) that the war which exists between our countries be conducted with the utmost regard to humanity.

I have the honor to be, &c.

(Signed) JAMES MONROE.

Sir John Borlase Warren, Admiral of the Blue,
Commander in Chief, &c.

*Washington, December 17, 1812.*

SIR—I have the honor to annex a list of twelve of the crew of the late United States' sloop of war Wasp, detained by captain John Beresford, of the British ship Poictiers, under the pretence of their being British subjects. I have the honor to be, &c.

GEORGE S. WISE, purser.

The hon. Paul Hamilton, Secretary of the Navy.

*List referred to in the preceding note.*

John M'Cloud, boatswain, has been in the service since 1804. Married in Norfolk in 1804 or 5, and has a wife and 5 or 6 children there.

John Stephens, boatswain's mate, has been in the service 5 or 6 years.

George M. Read, quarter-master, has a protection, and has sailed out of New-York and Philadelphia, for several years.

William Mitchell, seaman, James Gothright, do. John Wright, do. Thomas Philips, do. Peter Barron, do. John Connor, ord. seaman John Rose, do. George Brooks, do. Dennis Dougherty, marine, the greater number, if not all, had protections at the time of entering and being taken. Two others were detained—John Wade and Thomas Hutchins; but were given up, the former on captain Jones' assuring captain Beresford he knew him to be a native citizen: the latter on a like assurance from Dr. Rodgers.

William Mitchell was in the service during 1805 and 6, in the Mediterranean.

GEORGE S. WISE, purser.

*Washington City, December 17, 1812.*

[To be continued.]

# Events of the War.

## MISCELLANEOUS.

Fill high the cup;
" And let the kettle to the trumpet speak,
" The trumpet to the cannoneer without,
" The cannon to the heavens—the heaven to earth,"
*America now drinks to Perry!*

In consequence of the most signal victory on lake *Erie*, a full account of which is inserted in the succeeding columns, the Baltimore regiment of artillery turned out, and at high twelve let the wide mouth'd cannon to "the heavens speak" the glorious tidings. A grand federal salute was also fired from the fort; and the "First Marine artillery of the Union," after a superb display of their corps, nearly 200 strong, escorting their 18lb. field pieces, reiterated "*Free trade and Sailors rights*" from the hill near the Observatory, about sun-set, making the welkin ring.—In the evening, the bells rang a merry peal, and without concert or previous arrangement, the city was suddenly, but splendidly illuminated. All was gratitude to the Supreme Disposer of events for a victory that humanity may rejoice at, as relieving a wide-and much exposed frontier from the *scalping knife*, and leading directly to peace, at least in that quarter.

We can hardly attribute too great importance to this victory. By an unaccountable predilection, the common attention had been drawn almost exclusively to *Ontario*, where, indeed, a mighty interest is at stake. Yet, perhaps, all things considered (and we have often made the remark) the mastery of *Erie* is hardly of secondary importance to the sway of the lower lake. But we have not room for the observations that strike us at present, nor is time allowed for the collection of the facts to elucidate them—we may pursue the matter next week.

*Harrison's* whole force was in motion two days after the battle on the lake. We trust that *Proctor* will not escape him.

*Lieut. Burrows* and *admiral Nelson.*—The following contrast is presented by the editor of the *Democratic Press.* "Lord Nelson, in a struggle between the delight of victory and the dread of dying, is writhing about on his bed *below*, and in anguish calling to his captain, "kiss me Hardy." The *inimitable* Burrows is lying *on deck*, calm and exemplary in the agonies of dissolution, uttering not a groan nor a sound except to refuse to be carried from his station, and when the vanquished sword was brought to him, after forty minutes of inconceivable fortitude and heroism, he exercises the last remaining powers of speech only to say that he is satisfied, and dies contented."

*The Baltimore Volunteers*—Some of the officers and privates of this late elegant and efficient corps have returned to their homes, from the lines, and the rest are on the road. They have served out their time to the entire approbation of their country, and received a most honorable discharge from Gen. *Boyd*, commanding at Fort. *George*—each individual has also a testimony which, "as a rich legacy," he may bequeath to his children. The "General Order," &c. shall be inserted hereafter.

A letter to the editor of the *Register*, from a private gentleman residing in the neighborhood of the places where the "Baltimore Blues" have been upon duty, speaking of their discharge, has the following elegant remarks—"No company on this frontier has done more laborious and active duty than they; and none have discharged that duty with more advantage to their country and honor to themselves. They have been a practical comment on this eternal truth, that the citizen and the soldier are compatible characters."

"*Our friends in America.*"—This phrase has been frequently used in parliament. The British ministerialists calculate as fully upon them a son subsidized *Sweden*. A *Montreal* paper of the 28th ult. wishes that the ministers may be impeached for their neglect of *Canada*, and says—"The apology that we have *friends in America* will not answer. This valuable appendage of the British crown is neglected; and a renegado crown prince of Sweden is subsidized with a *million*, and afterwards with a pension of 60,000£ sterling! Good God! what are we come to?"

One of "his majesty's" deserters at *Hampton* has returned to his father's house, near Saratoga, New York, after an absence of more than seven years, and long since given up as dead, all opportunity of making known his calamitous situation being denied. The *European Algerines* had made a slave of him.

*John Gloninger*, Esq. the only representative in congress from *Pennsylvania*, that voted against the

* This list is not received.

tax bills, or failed to give energy to the war, has resigned; being appointed an associate judge of Lebanon county. It is confidently said that his place will be filled by a gentleman who will give to that great state an *unanimous* vote on all questions for the defence of our rights against the aggressions of the barbarian enemy.

The following, says the *Boston Chronicle*, is from an authentic source, communicated in a letter from *Halifax*, dated the 4th inst.

"For some time past the horizon has been thickening here, until the storm has at length burst—59 out of 500 troops that have been sent here from Quebec, have been selected and sent to England, reported as having given themselves up as British subjects, though not one of them has done so.

"One hundred of our seamen have been selected from Melville Island, embarked, and sail to day for England.

"Sixteen men, ten of the Chesapeake's crew, in which is the carpenter and gunner, and six officers of different privateers, are sent to the common gaol here, and confined in three cells; six in one, and five in each of the others, and not allowed to see any one. From their conduct I think it fair to presume all exchange is at an end. The officers confined are, John Light, lieut. of the Julian-Smith; capt. J. R. Morgan, of the Enterprize; Wm. Lane, capt. David Perry and Thomas Swaine, lieuts. of the Wiley Reynard; Jas. Trask, sailing-master of the Revenge. I have written fully to Mr. Miller; the fact is, he has no power.

"Except your smugglers, no Americans are permitted to reside in Halifax, nor I believe visit it"

A report prevailed at *Milledgeville*, Geo. on the 26th ult. that the Spaniards had demanded the repossession of Mobile, and the territory west of the *Perdido*. And certain accounts had been received that the *Creeks* had obtained arms and ammunition from *Pensacola*. It was understood they weere *fortifying* themselves on the *Alabama*.

A London paper of June 28, says—"A great sensation continues to prevail in the commercial world, in consequence of the repeated advices of the *audacity* of the American privateers on the Irish coast."

## MILITARY.

We are on tip-toe for news from all the armies. We look for a flood of glad tidings. Every thing seems well.

We notice the arrival of several bodies of troops at *Burlington* since our last.

Col. *Bœstler's* regiment, taken at the Beaver dams, have arrived at *Halifax*.

A detachment of 149 recruits left *Winchester*, Va. on the 14th instant, for the Canada frontier.

It is stated that martial-law is established at *Sackett's Harbor*, and that every person who visits that place, is compelled to submit to the obligation of a solemn oath not to divulge any thing that may come under his observation relative to military affairs.

### THE CREEK INDIANS.

*Extract of a letter, dated Creek Agency, 27th July*, 1813.—"The civil war among the Creeks has raged with great fury. The fanatics have destroyed Tuckabochee, the chiefs and the inhabitants having previously left it, under an escort of warriors from Cusseta and Cowetaw, and moved down to Cowetaw. Since then they have destroyed Kialijee and several of its inhabitants, and more than thirty have been killed on both sides. Aubeecoochee behaved with consummate bravery. A party under a prophet killed four of their chiefs—the warriors killed him and his party, and hearing that Oackfuskaachee sided with the prophets, they turned on them and cut the whole off.

"It is now reduced to a certainty from the concurrent testimony of a number of respectable Indians, that this civil war originated with the British in Canada, and as soon as the chiefs friendly to the plan of civilization and their adherents are murdered or put to flight, the fanatics will attack our frontier settlements without delay. The friendly Indians of the Upper towns are flying to Chattahochee, where they will meet the aid of a military force. Some regular troops have arrived at Fort Hawkins, and the requisite military supplies are coming on.

"The governor of Georgia having received 'authentic information of a meditated attack,' has authority to call the state's quota of the detachment of militia in the service of the United States, and has the requisite power to co-operate with the friendly chiefs without delay and with effect.

"The citizens in the forks of Alabama, and their neighbors the half breeds, must put themselves into the best situation they can to resist an attack from Alabama."

## NAVAL.

CAPT. LAWRENCE.—The *Bristol* (England) *Mirror* says—"We understand from very good authority, that the late captain LAWRENCE, of the American frigate *Chesapeake*, was a native of *Bristol*, and educated at Colston charity school in this city. He had a younger brother, and both were for some time in the navy; but being disappointed in their hopes of promotion, they went to *America*, where they shortly after obtained the command of gun-boats, from which captain LAWRENCE was transferred to the *Hornet*, and afterwards to the *Chesapeake*."

Com. *Rodgers*, the *Englishmen* have it, is the son of an Scotch baker!—Poor stupid *John Bull*.

A late Halifax paper says—"An American brig from Antigua, with 147 puncheons molasses, has arrived at Yarmouth, prize to the privateer Fly."—What business had an *American* brig at *Antigua*—how did she enter and clear at *that* port?

The London papers continue to state that com. Rodgers has been on the coast of Norway.

"*Yankee trick*."—A schr. belonging to Penobscot river, from Salem, lately captured by the English privateer schr. Dart, off Mount Desert, and who had all her hands taken out, except one young man 18 years of age, after having two others from the privateer put on board, was ordered for Halifax.—The young man had the pilotting of the vessel, and put into Machias harbor in a fog, where she was taken possession of by the revenue boat.

It is stated that an American privateer was fitting out at *Naples*, about the middle of April.

It is the "*Young* True Blooded Yankee" that was taken by the British—The *Old* True Blooded Yankee is going on in the *old* way.

An American privateer ship, of 22 guns, was fitting out at Merseilles in July.

Capt. Graham late of the Lauristinus has been appointed to the command of the Chesapeake.

THE ESSEX FRIGATE.—*London, July* 14.—The following is an extract of a letter from *Buenos Ayres*, dated April 8:—

"The American frigate *Essex* is in *Valpariso*, where she arrived the 18th of March last, after a passage of 35 days from the island of *Sebastians*, near *Rio Janeiro*. She is armed with 45 guns, and 320 picked men, and in other respects she is exceedingly well found. It is certain that POYNSETT, the American consul there, wrote to his government for a vessel of this description. There were illuminations and balls on account of her arrival."

The bodies of *Lawrence* and *Ludlow* were interre

with great pomp and ceremony at *New York* on the 16th inst. The procession has no parallel for the number that attended it, in the United States; and the spectators were estimated at 30,000. Bishop Hobart consigned the bodies to the earth. A due account of the proceedings shall be recorded.

It is well to remember that the bodies of those *sailors* were brought to New York by *land*, the "magnanimous English" having refused a passage for them by *water*. And we are assured, from a source entitled to our confidence, that the *whole expence* of the funeral at *Halifax*, on which we have been told so much to the credit of *the enemy*, was defrayed by the U. S. agent, Mr. Mitchell, *and charged to the government of the United States*.

From the 1st to the 10th of Sept. several naval officers and about 200 seamen arrived at *Burlington*.

The prize schooner General Horseford, has been purchased at Savannah, by the United States, for 6,950$. She is an excellent vessel.

CAPT. BROKE'S CHALLENGE.—The following is from the ESSEX REGISTER. We believe it may be depended upon as minutely correct:

"The letter from capt. BROKE [see WEEKLY REGISTER, page 29] to capt. LAWRENCE, inviting him to meet the *Shannon*, is given below. Notwithstanding the apparently liberal terms on which capt. B. proposed in this letter to meet the *Chesapeake*, and the praise which have consequently been bestowed on him, we consider it nothing more than a gross deception. Capt. SLOCUM, of this town, who was the bearer of this challenge from the *Shannon* on the day of the action, (having been a prisoner on board her) states, that capt. BROKE himself told him, at 9 o'clock on the morning of that day, that the *Chesapeake* had fired a gun and loosed her sails, and was coming out. At 12 o'clock, capt. BROKE told capt. SLOCUM, that he might go on shore, and requested him to take a letter to the commander of the *Chesapeake*. It was nearly 1 o'clock when he left the ship, and the *Chesapeake* was in sight under full sail standing out to meet the *Shannon!* Instead of sending capt. SLOCUM as a flag of truce as he might have done directly to capt. LAWRENCE, he directed the boat to put him ashore at *Marblehead*, from which place BROKE knew that the challenge could not get to *Boston* in time to be seen by capt. LAWRENCE.

THE CHESAPEAKE AND SHANNON.—The capture of the *Chesapeake* has excited the most extravagant joy in *Great Britain*. Some of the cities have been illuminated—the tower guns fired—the freedom of the city of London, with a sword of the value of 100 guineas, was voted to captain *Broke*—many large speeches were made in parliament about it, and the splendor of this deed, (the capture of an *American* frigate by a *British* vessel of the same force, and under very peculiar advantages!) seems to have obliterated the glory of the battles of the *Nile* or *Trafalgar*. As usual, *John Bull* is gulled by the most outrageous falshoods—but the late *Boxing* match with the *Enterprize* will give him a little insight into the real merits of the matter.

Mr. *Croker*, principal secretary to the lords of the admiralty, in his place in the *house of commons*, among other remarks, said—"The action with the Chesapeake, was, in every respect, unexampled.—It was not,—and he knew it was a bold assertion which he made,—to be equalled by any engagement which graced the naval annals of G. Britain. The enemy's ship was superior in size, superior in weight of metal, superior in numbers. She entered into the contest with a confidence of victory resulting from that conviction. He was warranted in saying that the victory was accomplished in less than 15 minutes, of which only three minutes were occupied in boarding, when 310 British seamen had to contend with 440 of the enemy."

This is somewhat different for the talk of that gentleman and his friends some little time ago, about our "fir-built frigates, manned by bastards and outlaws."

The British official account of the action inserted in page 30, was a translation from a French paper—the following is from the *London Gazette*. What a pity is it, that with so much vaporing and swaggering, and a disregard to truth, in some essential particulars, capt. *Broke* has sullied his claims to glory for having captured the first, and yet only American frigate. He has neither told the truth, nor the whole truth, though he has said much that is not the truth:

ADMIRALTY OFFICE, July 10.

*Copy of a letter from the hon. captain Capel, of H. M. ship La Hogue, to John Wilson Croker, Esq. dated Halifax, June* 11, 1813.

SIR—It is with the greatest pleasure I transmit you a letter I have just received from capt. Broke, of his majesty's ship Shannon, detailing a most brilliant achievement in the capture of the U. States' frigate Chesapeake, in 15 minutes. Captain Broke relates so fully the particulars of this gallant affair, that I feel it unnecessary to add much to his narrative; but I cannot forbear expressing the pleasure I feel in bearing testimony to the indefatigable exertions and persevering zeal of capt. Broke during the time he has been under my orders; placing a firm reliance on the valor of his officers and crew, and a just confidence in his system of discipline, he sought every opportunity of meeting the enemy on fair terms; and I have to rejoice with his country and his friends, at the glorious result of this contest: he gallantly headed his boarders in the assault, and carried all before him. His wounds are severe, but I trust his country will not long be deprived of his services. I have the honor to be, &c.

THOMAS BLADEN CAPEL,
*Capt. and senior officer at Halifax.*

SHANNON, HALIFAX, June 6, 1813.

SIR—I have the honor to inform you, that being close in with Boston light house in his majesty's ship under my command, on the 1st inst. I had the pleasure of seeing that the United States frigate Chesapeake (whom we had been long watching) was coming out of the harbor to engage the Shannon; I took a position between Cape Ann and Cape Cod, and then hove to for him to join us; the enemy came down in a very handsome manner, having three American ensigns flying; when closing with us he sent down his royal yards, I kept the Shannon's up, expecting the breeze would die away. At half past 5 P. M. the enemy hauled up within hail of us on the starboard side, and the battle began, both ships steering under the topsails; after exchanging between two and three broadsides, the enemy's ship fell on board of us, her mizen channels locking in with our fore rigging. I went forward to ascertain her position, and observing that the enemy were flinching from their guns, I gave orders to prepare for boarding. Our gallant band, appointed to that service, immediately rushed in, under their respective officers, upon the enemy's decks, driving every thing before them with irresistible fury. The enemy made a desperate but disorderly resistance. The firing continued at all the gang ways and between the tops, but in two minutes time the enemy were driven sword in hand from every post. The American flag was hauled down, and the proud old British union floated triumphant over it. In another minute they ceased firing from below, and called for

quarter. The whole of this service was achieved in fifteen minutes from the commencement of the action.

I have to lament the loss of many of my gallant shipmates, but they fell exulting in their conquest.

My brave first lieut. Mr. Watt, was slain in the moment of victory, in the act of hoisting the British colors; his death is a severe loss to the service. Mr. Aldham, the purser, who had spiritedly volunteered the charge of a party of small arm men, was killed at his post on the gangway. My faithful old clerk, Mr. Dunn, was shot by his side. Mr. Aldham has left a widow to lament his loss. I request the commander in chief will recommend her to the protection of my lords commissioners of the admiralty. My veteran boatswain, Mr. Stephens, has lost an arm. He fought under lord Rodney on the 12th of April. I trust his age and services will be duly rewarded.

I am happy to say that Mr. Samwell, a midshipman of much merit, is the only other officer wounded besides myself and he not dangerously. Of my gallant seamen and marines we had twenty-three slain and fifty-six wounded. I subjoin the names of the former. No expressions I can make use of can do justice to the merits of my officers and crew; the calm courage they displayed during the cannonade, and the tremendous precision of their fire, was only equalled by the ardor with which they rushed to the assault. I recommend them all warmly to the commander in chief. Having received a sabre wound at the first onset, whilst charging a part of the enemy who had rallied upon their forecastle, I was only capable of giving command till assured our victory was complete. I then directed my second lieut. Mr. Wallis to take command of the Shannon and secure the prisoners. I left the third lieut. Mr. Falkner (who had headed the main deck boarders) in charge of the prize. I beg to recommend these officers most strongly to the commander in chief's patronage, for the gallantry they displayed during the action, and the skill and judgment they evinced in the anxious duties which afterwards devolved upon them.

To Mr. Etouch the acting master, I am much indebted, for the steadiness in which he conn'd the ship into action. The lieutenants Johns and Law, of the marines bravely boarded at the head of their respective divisions. It is impossible to particularize every brilliant deed performed by my officers and men; but I must mention, when the ships' yard arms were locked together, that Mr. Cosnaham, who commanded in our main top, finding himself screened from the enemy by the foot of their topsail, laid out at the main yard arm to fire upon them, and shot three men in that situation. Mr. Smith, who commanded in our fore top, stormed the enemy's fore top from the fore yard arm, and *destroyed all the Americans remaining in it.* I particularly beg leave to recommend Mr. Etouch, the acting master, and Messrs. Smith, Leake, Clavering, Raymond and Littlejohn, midshipmen. The latter officer is the son of capt. Littlejohn, who was slain in the Berwick.—The loss of the enemy was about 70 killed, and 100 wounded. Among the former were the four lieutenants, a lieutenant of marines, the master, and many other officers. Captain Lawrence is since dead of his wounds.

The enemy came into action with a complement of four hundred and forty men; the Shannon having picked up some recaptured seamen, had three hundred and thirty. The Chesapeake is a fine frigate, and mounts forty-nine guns, eighteens on her main deck, two and thirties on her quarter deck and forecastle. Both ships come out of action in the most beautiful order, their rigging appearing as perfect as if they had only been exchanging a salute.

I have the honor to be, &c.

(Signed) P. B. V. BROKE.

To captain the hon. T. Bladen Capel, &c. Halifax.

*List of killed on board of his majesty's ship Shannon,*

G. T. L. Watt, first lieutenant, G. Aldham, purser; John Dunn, captain's clerk.

*Seamen.*—G. Gilbert, William Berilles, Noil Gilcherist, Thomas Selby, James Long, John Young, James Wallace, Joseph Brown, Thomas Barr, Michael Murphy, Thomas Jones, John O'Connelly and Thomas Barry, (first class) boy.

*Marines.*—Samuel Millard, corporal; Jas. Jayms, Dominique Sader and William Young, privates.

*Supernumeraries.*—William Morrisay, John Moriarty and Thomas German.

THE ENTERPRIZE AND BOXER.—A public dinner has been given by the people of *Portland,* to lieut. M'Call and the officers of the Enterprize, for their gallant conduct in *beating* the *Boxer.* A *Boston* paper says, that capt. Gordon, of the Rattler, had sent a flag of truce into Portland requesting an exchange of the officers and crew of the *Boxer;* and if that were refused to obtain an official account of the action. The first request could not be complied with; but capt. G. might be indulged with the last.

A CARD.—Capt. HULL, with the officers and crew of the U. S. brig Enterprize, are deeply impressed with the readiness and alacrity with which the inhabitants of Portland, in their civil and military departments, assembled to do honor to the memory of the brave lieut. WILLIAM BURROWS, late commander of the Enterprize, who fell in the gallant action with H. B. M. brig Boxer, which she captured and brought into this port; and beg they will receive their grateful acknowledgments for their very handsome tribute of respect exhibited in their attendance on the funeral of that brave officer, as well as that of his gallant competitor, captain SAMUEL BLYTH, late commander of the Boxer, who fell in the same action, and to whom equal honors were paid in every respect, in their funeral obsequies, exhibiting to the world an evidence of that character which the Americans are proud to possess, of shewing every tribute of respect to a brave enemy who has fallen in combat, and of extending to those in their power every mark of liberality and comfort consistent with their situation as prisoners.

Capt. HULL, with the officers and crew of the Enterprize, embrace the present occassion to express the sense which they entertain of the prompt attention and of the active and humane exertions of Sam'l Storer, Esq. the U. S. navy agent at Portland, in having every accommodation provided for the wounded on board the U. S. brig Enterprize, as well as those on board the Boxer, between whom no distinction was made. And they likewise beg the Physicians of Portland who have been so kind as to afford the most prompt and ample exercise of their professions towards the wounded of both vessels, to accept their best thanks.

*Extract of a letter from com. Hull to com. Bainbridge, dated the 10th inst.*

"I yesterday visited the two brigs and was astonished to see the difference of injury sustained in the action. The Enterprize has but one 18 pound shot in her hull, one in her mainmast, and one in her foremast; her sails are much cut with grape shot and there are a great number of grape lodged in her sides, but no injury done by them. The Boxer has eighteen or twenty 18 pound shot in her hull, most of them at the water's edge—several stands of 18 pound grape stick in her side, and such a quantity of small grape that I did not undertake to count

them. Her masts, sails and spars are literally cut to pieces, several of her guns dismounted and unfit for service; her top gallant forecastle nearly taken off by the shot, her boats cut to pieces, and her quarters injured in proportion. To give you an idea of the quantity of shot about her, I inform you that I counted in her mainmast alone three 18 pound shot holes, 18 large grape shot holes, 16 musket ball holes, and a large number of smaller shot holes, without counting above the cat harpins.

"We find it impossible to get at the number killed; no papers are found by which we can ascertain it—I, however, counted upwards of 90 hammocks which were in her netting with beds in them, besides several beds without hammocks; and she has excellent accommodations for all her officers below in staterooms, so that I have no doubt that she had one hundred men on board. *We know that she has several of the Rattler's men on board*, and a quantity of wads was taken out of the Rattler, loaded with four large grape shot with a small hole in the centre to put in a cartridge that the inside of the wad may take fire when it leaves the gun. In short, she is in every respect completely fitted and her accommodations exceed any thing I have seen in a vessel of her class."

*Remarks.*—There have been various opinions respecting the relative force of the vessels, and some ungenerous attempts have been made to diminish the splendor of the victory. The foregoing extracts, we conceive irrefragably settle the question of force and of skill. It appears that in number of men the enemy were equal; in number of guns it was well known the enemy were superior; and the vast difference of execution confirms (if confirmance were wanted) the fact of the high degree of superiority of our seamen in the art of gunnery. And, above all other considerations, it proves that American tars are determined to support their government, in a just war waged in defence of

"FREE TRADE AND SAILORS' RIGHTS."

From what *has been* said in the "well inclined" papers at Boston, the following *may* appear—"There was only half a man killed on board his majesty's brig Boxer, and three-quarters of two men wounded. Her whole crew consisted of *seven* men; two had been sent off in *three* prizes and two were on shore, so that the whole number in the action was *four* persons. The tonnage of the Boxer is 5 tons and one quarter. All this is from a *gentleman of great respectability*, and will be confirmed by the [British] official account."

Capt. *Gordon* of the *Rattler*, was exceedingly anxious to get back the men that he had *sent* for the *boxing* match; but *Barrows* had *impressed* them.—They will however be "*given up*" speedily.

FROM THE PORTLAND ARGUS, OF SEPTEMBER 16.

☞ On Monday last, the British sloop of war Rattler, with two other armed vessels, of smaller size, appeared off our port, and the Rattler stood in near to the land, with a white flag at her foretop gallant-mast head. Soon after, a boat from her, bearing a white flag, with a lieutenant proceeded to Fort Scammel, and presented the following note from captain Gordon to col. Learned. This, with the colonel's reply and the letter of the marshal, we have solicited for publication, that the public may judge of the motive.

*H. B. M. ship Rattler, off Portland,*
*13th September*, 1813.

SIR—Having during the time that I have been on this station, released and sent into Portland, many American subjects, made prisoners by his majesty's ship under my command; and having released on parole the captain, officers and crew of the armed ship Alexander, taken on your coast [illegible] May last, have been induced to send in a flag [illegible] true, in the hope that the surviving officers and crew [illegible] of his majesty's late gun brig Boxer, may be sent out to me, either in exchange for the captain and crew of the Alexander, whose parole I have sent in by the officer in charge of this letter, or in exchange for the same number of officers and men of the late U. S. frigate Chesapeake, which shall be regularly ratified by the proper authorities, on the admiral at Halifax receiving the intelligence. Should this request not be complied with, motives of humanity to the friends of the survivors, will, I trust, induce you to suffer the bearer to have communication with the late officers of the Boxer, in order to ascertain the names of those who have fallen in this *unequal** conflict.

I have the honor to be, sir, your obedient humble servant, ALEXANDER GORDON, *Capt.*

*The commandant of the garrison*
*at Portland.*

*Fort Scammel, 13th Sept.* 1813.

SIR—I have received your communication by the officer bearing your flag. In answer, I can only observe, that I have no authority vested in me to treat upon an exchange of prisoners, the sole power of which is vested in the commissary general of prisoners of war at Washington. The men taken in his majesty's brig Boxer, have been sent to Boston, except the wounded, who are attended by their own physician, under the direction of their own officers, and you may rest assured that every thing will be furnished them that can contribute to their comfort. The politeness and humanity with which capt. Gordon has treated those, whom the fortune of war has thrown into his power, I trust will be remembered

* It is impossible that the *British*, at once, should get down from the pinnacle of pride they had erected for themselves, by their deeds on the ocean. Their high renown has been obtained by combating *Frenchmen* and *Spaniards*; who, whatever may be their worth on the land, want a certain *indescribable something*, with a great deal of experience in the management of ships, to qualify them to contend with the *Leviathan* of the sea, on the element he claims as his own. In every contact with any thing like an equality of force, whether in public or private armed vessels, we have beat the *Englishmen*, the "affair of the *Chesapeake*" only excepted, which we attribute to a chain of untoward events, that valor could not foresee or guard against!——*Perry's* glorious victory, (God bless him and all that were with him!) vastly strengthens the idea here entertained. We regret that captain *Gordon*, of the *Rattler*, has as mean views as the "well inclined" printers at *Boston*, to underrate this splendid achievement; for he appears, in many respects, to be a worthy man. It is distinctly stated by a gentleman who was on board the Nymph frigate, that he understood from captain Epsworth, of that ship, that the *Boxer* was fitted out at *Halifax*, for the express purpose of meeting the *Enterprize*, to settle the affair "as to superiority." This was sometime before the battle. The pitiful conduct of the lieutenant of the *Java*, has been recorded in its proper colours, for attempting to reduce the quantity of the force of that ship, (see WEEKLY REGISTER, vol. IV, page 275.)—and in the present case, the British would have us believe they had only *sixty-six* men, though sixty-four have been brought in as prisoners, and six thrown overboard, dead, by our own people, after they had possession of the prize. See captain *Hull's* letter, inserted above. The vessels speak for themselves—the timber and guns will not lie; and the statement made in our last is amply confirmed. ED. REG.

with respect for his character, even by those whom war has made his enemies; and I regret that my duty will totally forbid a compliance with his request for an interview with the officers of the Boxer.

I have the honor to be, sir, your obedient servant.

J. D. LEARNED, *Col. Com'dt.*

*Alexander Gordon, Esq.*
*Capt. H. B. M. ship Rattler.*

*Fort Scammel, Sept.* 13, 1813.

SIR—Col. Learned having communicated your letter of this day to me, I have the honor to state to you that no power is vested in me to exchange prisoners of war, or to parole them without the country—The officers of the Boxer who survived the action, are paroled, and treated as gentlemen and brave men, who contended with courage in a very *equal* contest for victory and glory.—The wounded are in the same hospital with the wounded of the Enterprize, and as well treated. Captain Blyth's body was buried with the same honors as the body of captain Burrows, and the remains of the two brave men lay near each other. Your prisoners are treated with humanity, and my personal attention to them will be given to make them comfortable. I witnessed the handsome treatment of captain Gordon to the officers of the Alexander. I am proud to say his reputation stands high as a humane officer, and regret that those officers whom the fate of war has made prisoners, cannot be permitted to communicate with the flag this evening.

I have the honor to be, sir, your obedient servant.

T. G. THORNTON, *Marshal of Maine.*

*Alexander Gordon, Esq.*
*Capt. H. B. M. ship Rattler.*

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*Copy of a letter from Isaac Hull, Esq. commanding Naval Officer on the station East of Portsmouth.*

U. S. Navy Yard, Portsmouth,
14th September, 1813.

SIR—I have the honor to forward you, by the mail, the flags of the late British brig Boxer, which were nailed to her mast-heads at the time she engaged, and was captured by the United States brig Enterprize.

Great as the pleasure is that I derive from performing this part of my duty, I need not tell you how different my feelings would have been, could the gallant Burrows have had this honor!

He went into action most gallantly, and the difference of injury done the two vessels proves how nobly he fought.

I have the honor to be, with great respect, sir, your obedient servant, ISAAC HULL.

Hon. WM. JONES, Sec'ry of the Navy.

*Copy of a letter from Thos. Macdonough, Esq. commanding the United States naval forces on Lake Champlain.*

United States' Sloop President,
near Plattsburg, Sept. 9, 1813.

SIR—I have the honor to inform you that I arrived here yesterday from near the lines, having sailed from Burlington on the 6th inst. with an intention to fall in with the enemy, who were then near this place; having proceeded to within a short distance of the lines, I received information that they were at anchor there: soon after, they weighed and stood to the northward out of the lake—thus, if not acknowledging our ascendancy on the lake, evincing an unwillingness (although they had the advantage of situation, owing to the narrowness of the channel in which their galleys could work, when we should want room) to determine it.

I have the honor to be, &c.

THOMAS MACDONOUGH.

*Hon. W. Jones, Sec'ry of the Navy.*

*Extract of a letter from lieut. Deacon, late commander of the schr. Growler.*

"On the night of the 10th of August, both fleets were in sight of each other; the order of battle was formed and my station was ahead of the General Pike to windward.

"At 10 o'clock the British fleet bore down, and a general action was expected. At 11 o'clock our schooners commenced a fire with their long guns.—At this time the enemy's fleet had a fresh breeze, which enabled them to come down very rapidly; they being to windward, it appeared to be sir James Yoe's intention to run down to engage our commodore, but on our fleet keeping away he hauled his wind and cut us off. In this situation I had the whole of the enemy's fleet to contend with, and only the assistance of the Julia, a schooner of about the size of the Growler. We held out for some time, doing all we could to make our escape, but our fleet still keeping away, and no assistance at hand, we being then close under the guns of two of the enemy's largest ships, we were under the unpleasant necessity of surrendering to so superior a force.—My loss was one man killed, the Growler was much cut in her rigging and spars—Should any thing be said in public, prejudicial to my character or conduct as an officer, you may contradict it without fear, as it will soon be in my power to clear up that point, to the satisfaction of every body.

"The moment I am exchanged, which will perhaps be soon, I will send you a detailed account of all our proceedings, since I have been on the lakes. My health is tolerably good, except the fatigue occasioned by a long journey, being now on my way from York to Quebec (a distance of 600 miles) where all American prisoners are sent.

"As this letter will come open, you will not find it very interesting. You will not forget to recollect, when you write to me, that all letters are opened before I can receive them."

☞ FROM LAKE ERIE

We have most glorious news. Thanks be to God for this splendid victory that has relieved a very exposed and extensive frontier from the *allied* bayonet and scalping-knife, and of those who, in the language of the *London* paper, [see page 16] swelled "the *British* shout of victory with the yell of the *Indian* war whoop." It is a victory of its own kind, unrivalled—unimagined, and leading to consequences of the highest importance. But Commodore PERRY holds an able pen!——Who will not feel for the brave spirits of the *Lawrence?* But the departed hero had said, "*Don't give up the ship!*" and *the* LAWRENCE was held beyond all that could have been expected of heroes.

*Copy of a letter from commodore Perry to the Secretary of the Navy.*

U. S. brig Niagara, off the Western Sister,
Head of Lake Erie, September 10, 1813, 4 P. M.

SIR—It has pleased the Almighty to give to the arms of the United States a signal victory over their enemies on this lake. The British squadron consisting of two ships, two brigs, one schooner and one sloop, have this moment surrendered to the force under my command, after a sharp conflict.

I have the honor to be, sir,
Very respectfully, your obedient servant,
O. H. PERRY.

*The hon. Wm. Jones,*
*Secretary of the Navy.*

U. S. brig Niagara, off the Western Sister,
Head of Lake Erie, September 10th, 1813, 4. P. M.

DEAR GENERAL—We have met the enemy; and they are ours. Two ships, two brigs, one schooner and one sloop. Yours with great respect and esteem,
O. H. PERRY.

*September 11th*, 1812.

DEAR SIR—We have a great number of prisoners, which I wish to land: will you be so good as to order a guard to receive them; and inform me the place? Considerable numbers have been killed and wounded on both sides. From the best information, we have more prisoners than we have men on board our vessels. In great haste, yours very truly,

O. H. PERRY.

*General Harrison.*

*Copy of a letter from commodore Perry to the Secretary of the Navy.*

U. S. schooner Ariel,
Put-in-Bay, 13th September, 1813.

SIR—In my last I informed you that we had captured the enemy's fleet on this lake. I have now the honor to give you the most important particulars of the action. On the morning of the 10th inst. at sun rise, they were discovered from Put-in-Bay, when I lay at anchor with the squadron under my command. We got under weigh, the wind light at S. W. and stood for him. At 10 A. M. the wind hauled to S. E. and brought us to windward: formed the line and bore up. At 15 minutes before 12, the enemy commenced firing; at 5, minutes before 12 the action commenced on our part. Finding their fire very destructive, owing to their long guns, and its being mostly directed at the Lawrence, I made sail and directed the other vessels to follow for the purpose of closing with the enemy. Every brace and bow line being soon shot away she became unmanageable, notwithstanding the great exertions of the sailing master. In this situation she sustained the action upwards of two hours within cannister distance, until every gun was rendered useless, and the greater part of her crew either killed or wounded. Finding she could no longer annoy the enemy, I left her in charge of lieutenant Yarnall, who, I was convinced from the bravery already displayed by him, would do what would comport with the honor of the flag. At past two, the wind springing up, captain Elliot was enabled to bring his vessel, the Niagara, gallantly into close action; I immediately went on board of her, when he anticipated my wish by volunteering to bring the schooners which had been kept astern by the lightness of the wind, into close action. It was with unspeakable pain that I saw, soon after I got on board the Niagara, the flag of the Lawrence come down, although I was perfectly sensible that she had been defended to the last, and that to have continued to make a shew of resistance would have been a wanton sacrifice of the remains of her brave crew. But the enemy was not able to take possession of her, and circumstances soon permitted her flag again to be hoisted. At 45 minutes past two the signal was made for "close action."—The Niagara being very little injured, I determined to pass through the enemy's line, bore up and passed ahead of their two ships and a brig, giving a raking fire to them from the starboard guns, and to a large schooner and sloop, from the larboard side at half pistol shot distance. The smaller vessels at this time having got within grape and cannister distance, under the direction of captain Elliot, and keeping up a well directed fire, the two ships, a brig, and a schooner surrendered, a schooner and a sloop making a vain attempt to escape.

Those officers and men who were immediately under my observation evinced the greatest gallantry, and I have no doubt that all the others conducted themselves as became American officers and seamen. Lieut. Yarnall, first of the Lawrence, although several times wounded, refused to quit the deck.—Midshipman Forrest (doing duty as lieut.) and sailing master Taylor, were of great assistance to me, I have great pain in stating to you the death of lieut. Brook of the marines, and midshipman Laub, both of the Lawrence, and midshipman John Clarke of the Scorpion: they were valuable and promising officers. Mr. Hambleton, purser, who volunteered his services on deck, was severely wounded late in the action. Midshipman Claxton and Swartwout of the Lawrence, were severely wounded. On board of the Niagara, lieut. Smith and Edwards, and midshipman Webster (doing duty as sailing master) behaved in a very handsome manner. Captain Brevoort of the army, who acted as a volunteer in the capacity of a marine officer, on board that vessel, is an excellent and brave officer, and with his musketry did great execution. Lieut. Turner, commanding the Caledonia, brought that vessel into action in the most able manner, and is an officer that in all situations may be relied on. The Ariel, lieut. Packet, and Scorpion, sailing master Champlin, were enabled to get early into action, and were of great service. Capt. Elliott speaks in the highest terms of Magrath, purser, who had been dispatched in a boat on service previous to my getting on board the Niagara; and, being a seaman, since the action has rendered essential service in taking charge of one of the prizes. Of capt. Elliott, already so well known to the government, it would be almost superfluous to speak. In this action he evinced his characteristic bravery and judgment, and, since the close of the action, has given me the most able and essential assistance.

I have the honor to enclose you a list of the killed and wounded, together with a statement of the relative force of the squadrons. The captain and first lieutenant of the Queen Charlotte, and first lieut. of Detroit, were killed.—Capt. Barclay, senior officer, and the commander of the Lady Prevost, severely wounded. Their loss in killed and wounded I have not yet been able to ascertain, it must however, have been very great.

Very respectfully, I have the honor to be, sir, your obedient servant, O. H. PERRY.

*The hon. William Jones,*
*Secretary of the navy.*

EXTRACT OF A LETTER FROM COM. PERRY.

*U. S. schr. Ariel, Put-in-bay, 13th Sept.* 1813.

SIR—I have caused the prisoners taken on the 10th inst. to be landed at Sandusky, and have requested gen. Harrison to have them marched to Chilicothe, and there wait until your pleasure shall be known respecting them.

The Lawrence has been so entirely cut up, it is absolutely necessary she should go into safe harbor. I have therefore directed lieut. Yarnall to proceed to Erie in her, with the wounded of the fleet, and dismantle and get her over the bar as soon as possible.

The two ships in a heavy sea this day at anchor lost their masts, being much injured in the action. I shall haul them into the inner bay at this place and moor them for the present. The Detroit is a remarkably fine ship, sails well, and is very strongly built. The Queen Charlotte is a much superior vessel to what has been represented. The Lady Prevost is a large fine schooner.

I also beg your instructions respecting the wounded. I am satisfied, sir, that whatever steps I might take governed by humanity would meet your approbation. Under this impression, I have taken upon myself to promise capt. Barclay, who is very *dangerously* wounded, that he shall be landed as near lake Ontario as possible, and I had no doubt you would allow me to parole him. He is under the impression that nothing but leaving this part of the country will

save his life. There is also a number of Canadians among the prisoners, many who have families.

I have the honor to be, sir, very respectfully, your obedient servant, O. H. PERRY.

*The hon. William Jones,*
*Secretary of the navy.*

*Statement of the force of the British squadron.*

| | | |
|---|---|---|
| Ship Detroit | 19 guns—1 on a pivot and 2 howitzers | |
| Queen Charlotte | 17 do. | 1 do. |
| Schr Lady Prevost | 13 do. | 1 do. |
| Brig Hunter | 10 do. | |
| Sloop Little Belt | 3 do. | |
| Schr Chippeway | 1 do. | and 2 swivels |
| | 63 guns | |

*Note*—The Detroit is a new ship, very strongly built, and mounts long 24's, 18's, and 12's.

*Statement of the force of the United States' squadron.*

| | | |
|---|---|---|
| Brig Lawrence | 20 guns | |
| Niagara | 20 do. | |
| Caledonia | 3 do. | |
| Schr Ariel | 4 do. | [1 burst early in action. |
| Scorpion | 2 do. | |
| Somers | 2 do. | and 2 swivels |
| Tigress | 1 do. | |
| Porcupine | 1 do. | |
| Sloop Trippe | 1 do. | |
| | 54 guns | |

The exact number of the enemy's force has not been ascertained, but I have good reason to believe that it exceeded ours by nearly one hundred.

*List of killed and wounded on board the United States' squadron under command of O. H. Perry, esq. in the action of 10th September, 1813.*

On board the Lawrence. *Killed.*—John Brooks, lieutenant marines; Henry Laub, midshipman; Christian Mayhew, quartermaster; John W. Allen, seaman.; Joseph Kennedy, do.; John C. Kelly, private in the —— regiment; John Smith, seaman; Wm. Cranston, ordinary seaman; Andrew Michael, seaman; John Hoffman, ordinary seaman; Charles Pobie, seaman; Nelson Peters, do.; James Jones, do.; John Rose, do.; James Cayrt, sail maker's mate; Thomas Butler, seaman; Wilson Mays, carpenters' mate; James Brown, seaman; Ethelred Sykes, landsman; Philip Starpley, corporal marines; Jesse Harland, private; Abner Williams, do.—22.

*Wounded.*—John J. Yarnall, first-lieutenant, slightly; Dulaney Forrest, second do. do.; Wm. N. Taylor, sailing master, do.; Samuel Hambleton, purser, severely; Thomas Claxton, midshipman, do.; Augustus Swartwout, do. do.; Jonas Stone, carpenter, slightly; William C. Keen, master at arms, slightly; Francis Mason, quartermaster, severely; John Newen, do. do. do.; Joseph Lewis, do. do. slightly; Ezekiel Fowler, do. do. do; John E Brown, quarter gunner, severely; William Johnson, boatswain's mate, do.; James Helan, do. slightly; George Cornell, jearpenter's mate, do.; Thomas Hammond, armourer, do.; William Thompson, seaman, severely; George Varnum, do. do.; James Moses, do. do.; William Roe, do. do.; Joseph Denning, do. do.; William Daring, do. do.; John Clay, do. do.; Stephen Fairfield, do. do.; George Williams, do. do.; Lannon Huse, do. do.; James Waddington, do. do.; John Burnham, do. do.; John Burdeen, do. do.; Andrew Mattison, do. do.; Jeremiah Easterbrooke, ordinary seaman, do.; Henry Schreder, do. do.; Benoni Price, do. do.; Thomas Robinson, do. do.; Peter Kinsley, do. do.; Nathan Chapman, do. do.; Thomas Hill, do. do.; Barney McClair, do. do.; William Dawson, seaman, do.; Westerly Johnson, ordinary seaman, do.; Samuel Spywood, do. do.; Robert Hill, seaman, slightly; Francis Cummings, ordinary seaman, severely; Thomas Reed, do. do.; Charles Vandyke, do. do.; William Simpson, do. do.; Jesse Williams, do. do.; James Hadley, do. slightly; James Bird, marine, severely; Wm. Burnett, do. do.; Wm. Baggs, do. do.; David Christie, do. do.; Henry Vanpoole, do. do.; Thomas Triff, landsman, do.; Elijah Partin, do. do.; John Adams, do. do.; Charles Harrington, do. do.; Wm. B. Perkins, do. do.; Nathaniel Wade, boy, severely; Newport Hazard, do. slightly.—61.

[On the morning of the action the sick list of the Lawrence contained thirty-one unfit for duty.]

On board the Niagara.—*Killed*—Peter Morel, seaman; Isaac Hardy, ordinary seaman.—2.

*Wounded.*—John J. Edwards, lieutenant; John C. Cummings, midshipman; Edward Martin, seaman, since dead; William Davis, ordinary seaman, do.; Joshua Trapnill, marine, do.; Boswell Hall, ordinary seaman; George Platt, seaman; Elias Wilds, ordinary seaman; Henry Davidson, seaman; John M. Stribuck, ordinary seaman; John Freeman, do.; James Lansford, seaman; Thomas Wilson, do.; Charles Davidson, do.; Daniel Bennet, do.; John Filton, boatswain's mate; sergeant Mason, marine; corporal Scott, do.; Thomas Miller, marine; John Romas, do.; Geo. M'Manamy, do.; George Scofield, do.; Samuel Cochran, do.—25.

[On the morning of the action, the sick list of the Niagara contained twenty-eight unfit for duty.]

On board the Caledonia.—*Wounded*—James Artus, slightly; Isaac Perkins, do.; James Philips, do.—3.

On board the Somers.—*Wounded.*—Charles Ordeen, Godfrey Bowman.—2.

On board the Ariel.—*Killed*—John White, boatswain's mate—1. *Wounded.*—William Sloss, ordinary seaman, slightly; Robert Wilson, seaman, do.; John Lucas, landsman, do.—3.

On board the Trippe.—*Wounded*—Isaac Green, soldier, 26th regt. badly; John Nailes, do. 17th, slightly—2.

On board the Porcupine.—None killed or wounded.

On board the Scorpion.—*Killed.*—John Clark, midshipman; John Sylhammer, landsman.—2.

On board the Tigress.—None killed or wounded.

[Two days previous to the action fifty-seven men unfit for service in the small vessels.

RECAPITULATION.

| | *Killed.* | *Wounded.* | *Total.* |
|---|---|---|---|
| Lawrence | 22 | 61 | 83 |
| Niagara | 2 | 25 | 27 |
| Caledonia | | 3 | 3 |
| Somers | | 2 | 2 |
| Ariel | 1 | 3 | 4 |
| Trippe | | 2 | 2 |
| Scorpion | 2 | | 2 |
| | 27 | 96 | 123 |

S. HAMBLETON, *Purser,*
O. H. PERRY, *Captain and Senior Officer,*

☞ From lake Ontario we have also triumphant news. Of sir *James Yoe*, the *Democratic Press* most excellently observes, that "when he *swept* the lake he did it in so slovenly a manner that *Chauncey* had to go over it all *after* him!"—The commodore's letter gives us a distinct account of his proceedings. Sir *James*, having proposed to teach *Chauncey* the "first rudiments of seamanship," has fairly entered on his lesson by *running away*. Well—it often happens, that "one pair of heels is worth two pair of hands."

## CHAUNCEY'S CRUIZE.

*Extract of a letter from commodore Isaac Chauncey to the Secretary of the Navy, dated Sept.* 13, 1813.

On board the U. S. ship Gen. Pike,
Off Duck Island.

SIR—On the 7th at day-light, the enemy's fleet was discovered close in with Niagara river, wind from the southward. Made the signal, and weighed with the fleet (prepared for action) and stood out of the river after him; he immediately made all sail to the northward. We made sail in chase with our heavy sch'rs. in tow and have continued the chase all round the lake night and day until yesterday morning, when he succeeded in getting into Amherst bay, which is so little known to our pilots and said to be full of shoals that they are not willing to take me in there. I shall however (unless driven from my station by a gale of wind) endeavor to watch him so close as to prevent his getting out upon the lake.

During our long chase we frequently got within from one to two miles of the enemy, but our heavy sailing sch'rs. prevented our closing with him, until the 11th off Gennessee river, we carried a breeze with us while he lay becalmed to within about 3-4 of a mile of him when he took the breeze and we had a running fight of 3 and a half hours, but by his superior sailing he escaped me and run into Amherst bay yesterday morning. In the course of our chase on the 11th, I got several broadsides from this ship upon the enemy, which must have done him considerable injury as many of the shot were seen to strike him, and people were observed over the side plugging shot holes. A few shot struck our hull and a little rigging was cut but nothing of importance—not a man was hurt.

I was much disappointed that sir James refused to fight me, as he was so much superior in point of force both in guns and men—having upwards of 20 guns more than we have and heaves a greater we ight of shot.

This ship, the Madison and the Sylph have each a

schooner constantly in tow, yet the others cannot sail as fast as the enemy's squadron, which gives him decidedly the advantage, and puts it in his power to engage me when and how he chuses.

I have the honor to be, &c.

ISAAC CHAUNCEY.

*Hon. Wm. Jones, Sec'ry of the Navy.*

BLOCKADE OF NEW LONDON.

*Gallant exploit.*—From a New York paper of Sept. 16—"A gentleman from Rockaway informs, that on Thursday, as he and another person were going to bathe on the beach at that place, they discovered four barges, supposed to belong to the Statira frigate, in pursuit of a schooner which was endeavoring to gain the shore.—While the gentlemen where considering whether it would be safe to bathe in that situation, a cannon ball from one of the barges passed within four feet of one of them—they then thought it time to make off, and had not proceeded but a short distance before another ball struck and lodged in the ground within a foot of the other gentleman. This ball they brought to Rockaway, and found it weighed 12 1-4 lbs."

BLOCKADE OF THE CHESAPEAKE.

*Norfolk, September* 14.—On Saturday last about fifteen men volunteered from a militia company stationed near the inlet, to go and attack a party of the British who were said to be on shore near the Cape. When they came to the Cape, and were mounting one of the sand hills, they found themselves in full view, and within musket shot of a large body of marines who were exercising. A cluster of officers were standing some distance off between their main body and our militia—the latter had not a moment to spare—they took deliberate aim at the officers, and fired—four of them fell! The militia then made the best of their way back to camp, while the enemy's shot whistled over their heads in all directions, but without effect.

## American Prizes.

WEEKLY LIST—CONTINUED FROM PAGE 46.

"The winds and seas are Britain's wide domain,
"And not a sail, but by *permission* spreads!"
*British Naval Register.*

554. Ship Reprisal, from Scotland for Bay Chaleur, captured by the Frolic of Salem, and burnt.

555. Brig Friends, of Bristol for Pictou, captured by ditto and ditto.

556. Brig Betsey captured by ditto and ditto.

557. Brig ——, from Newfoundland, laden with fish, sent into Bordeaux by the letter of marque schooner Pilot, of Baltimore.

558 559 560 561—Four vessels captured by the Lovely Cordelia, of Charleston, and burnt.

562. Schooner ——, cut out of Setang Harbor, N. B. by a privateer boat.

563. Galliot Guttle Hoffnung, of Portsmouth, (Eng.) captured by the Frolic of Salem, and burnt.

564. Brig Jane Gordon of London, 8 guns and 20 men, captured by the same, dispossessed of her valuable articles and burnt.

565. Schooner Hunter, captured by ditto and converted into a cartel.

566. Ship Grotius, of London, captured by ditto and sent into Portland.

567, 568. Schooners Vigilant and Susan, captured by ditto, and given up to the prisoners.

569. Sloop ——, laden with dry goods, sent into Ellsworth, by a privateer boat belong to Beer Island.

570. *His Britannic majesty's* ship DETROIT, 19 guns and 2 howitzers, captured on lake Erie, by com. *Perry.* See official account, page 60.

571. *His Britannic majesty's* ship QUEEN CHARLOTTE, 17 guns and 1 howitzer, captured on *ditto*, by *ditto*, see *ditto!!*

572. *His Britannic majesty's* schooner LADY PREVOST, captured by *ditto*, on *ditto*, see *ditto!!!*

573. *His Britannic majesty's* brig HUNTER, captured by *ditto*, on *ditto*, see *ditto!!!!*

574. *His Britannic majesty's* sloop LITTLE BELT, captured on *ditto*, by *ditto*, see *ditto!!!!!*

575. *His Britannic majesty's* schooner CHIPPAWAY, captured by *ditto*, on *ditto*, see *ditto!!!!!!*

## The British Loan.

The following is from a *London* paper of June 3. "The parties who intend bidding for the loan, waited by appointment upon the earl of Liverpool and the chancellor of the exchequer this morning, when they were informed that the amount of the loan would be 27 millions. For every 100*l* advanced it was proposed to give 110 reduced and 60 consols."

If we understand these phrases rightly, and comprehend the nature of the stocks to be created, in consequence of this loan (and we have taken some trouble to come at the truth of the matter) the following curious facts appear:

The amount of stock raised to procure 27 millions, amounts to £45,900,000—*to wit:*

£ 29,700,000 at 3 per cent.
16,200,000 at 4 per cent.

Producing together an interest of £ 1,529,000—or rather less than 6 *per cent.* on the monies *nominally* raised. We say "nominally," for the bonus, premiums and discounts allowed, will reduce the sum accounted for at the exchequer, below 25 millions and a half, and the interest on *it* will be more than *six per cent.*

In the whole transaction, no *money* appears—"*paper does the business.*" The payment is made by the transfer of other stocks to the commissioners of the sinking fund—by exchequer bills, or *bank notes*—the last is the best circulating medium; but now very much like our old continental money, for it is *impossible* that the bank should ever redeem it with specie.

The paper of the *bank of England* has excessively multiplied as the specie disappeared. Its bills in circulation in 1807, was about 12,000,000; in 1810, 23,000,000; but now upwards of 43,000,000. The value of its notes, have of course depreciated; for though in *law* a one pound note is 20*s. sterling*, it will not purchase as much of any commodity as *three dollars*, which used to be valued at 4*s.* 6*d.* each. The dollars is now 6*s.* 9*d.* or at an *advance* of exactly 50 *per cent.* and one ounce of Portuguese gold, worth in the *United States* $17 60, produces in *England, five pounds five shillings*, equal to $23 31; having an *advance* of nearly 33 *per cent.*—40 *per cent.* ADVANCE is, therefore, the medium value of *gold* and *silver* compared with the *bank of England's* notes. On these indisputable facts we shall pursue the matter a little further for amusement and instruction.

The stock created for the loan of 27 millions, which produced at the exchequer 25 1-2 millions, was £45,900,000. This 25 1-2 millions, supposing it to be of *bank* paper, might have been paid with *eighteen* millions of the same quality of money as the loans of the United States are composed of, and the interest is *really and truly* nearly 9 *per cent. per annum.*

These plain and simple facts give us much insight into the condition of the boasted finances of *Great Britain*; where the *actual* interest for money had seldom, if ever, exceeded, 5 *per cent.* before the rupture of the peace by them in 1803.

## Meteor.

*New-Haven, (Con.) April 26*—A short account of a Meteor which was seen in this city by several gentlemen, on the evening of Saturday, the 20th ult.

The time of its appearance was about 15 minutes before 10 o'clock. It continued visible from 6 to 8 seconds. The direction in which it moved was from W. by N. to E. by S. The writer saw the light which it yielded, from the first; although he did not see the body itself until it had been in sight from 2 to 3 seconds. It was then about N. 20 d. E. 35 d. above the horizon; and consisted of a body and a tail. The body was an elipse, with the ends of the transverse somewhat pointed. The transverse was as long as the apparent diameter of the moon when on the meridian; and the conjugate about two thirds as long. The length of the tail was not far from five times the apparent diameter of the sun, or about 2 d. 30 m. in the heavens. For two-fifths of its length it was acute decreasing cone; the remainder was an uniform stripe of light.—The color of the body was yellower than that of the moon; and its brilliancy obviously greater than that of the tail. The illumination was so strong that standing objects cast very distinct shadows.

Soon after the writer first saw it, numerous sparks of fire apparently snapped from it, and went out almost immediately. A short time before the meteor disappeared, three much larger pieces separated from it. These moved, for an instant, in lines nearly parallel with its orbit: but their course became constantly more and more perpendicular.—The largest of the three continued visible till within about 20 degrees of the horizon. The path of each fragment was for a time obviously curvillinear. The meteor was itself visible a second or more after their separation from it. It disappeared all at once, at an altitude of about 30 degrees above the horizon, and in the direction of N. E. It seemed suddenly to have left the atmosphere, and to have gone in an instant behind some substance absolutely opaque. A short time after its disappearance, a bright flash was seen in that part of the sky where the meteor was first discovered—this perhaps lasted a second.

About eight minutes after the meteor was gone a very loud report was heard in the direction of that part of the sky where it vanished. This was accompanied by a very sensible jar, but had little or no roar or echo. The sound was not like thunder, nor like the report of a cannon. It was sharper and quicker than either.

The sky that evening was nearly overcast, but the covering was every where thin. Particularly in the north. In that direction various stars were visible. There had been during the evening an appearance of thunder and lightning, and none was discovered afterwards.

The illumination was seen by a considerable number of persons, and the report was extensively heard. The writer knows of but two persons in town who saw the meteor besides himself. Unfortunately for philosophy, in this instance, the "steady habits" of the people (as it was Saturday night) had collected almost all of them in their respective houses.

It is suspected that the meteor was seen farther north, by a greater number of persons; and it he hoped that the preceeding statement will call forth the observations of others.

## Scandalous curiosity.

The following letter appeared in the "New Hampshire Patriot," a paper printed at *Concord*, N. H of September 14, 1813—It is given as "*verbatim* and *literatim*." Some of the persons who have signed this instrument are reported as men of pretty high standing in society. The letter was shewn to a lieutenant *French*, by a certain deputy sheriff of *Coos* county. French felt it his duty to retain it—the deputy and three or four others assaulted him with a view to recover it; but French beat the whole of them off, after severely bruising some of the assailants and held on to his prize. The "Esqr. Sawyer" named is understood to mean Josiah Sawyer, Esq. of Eaton, Lower Canada.

"ESQR. SAWYER.

SIR.

"Information is here obtained that one Curtis Coe, an Inhabitant of Barnstead (N. H.) is apprehended and committed to one of your prisons at Three Rivers as a Spy. We beg leave to represent to you and solicit your attention to an investigation of the cause of his confinement. We are very confident from our acquaintance with Mr. Coe, and his character, Politicks, &c. that his object is far from being unfriendly to the motives which induced your government in repelling the attacks made on you by our Executive. His Politicks have uniformly been what we Style, Staunch Federalism; and his object we believe to be no other, than *trafficing* with your citizens in defiance of some of our Laws. For this we do not commend him; but for this we humbly conceive your Government will not undertake to chastise him. If his designs are manifestly and ostensibly hostile to your WHOLESOME regulations we would by no means be considered ss Justifying or countenancing him therein. His language and conduct with us has uniformly belied even the semblance of an enemy to your Government, or any of your usages in repelling all measures which our Executive have tried to enforce. We think that after you have examined his conduct, you will with us unite in your endeavors in liberating him from confinement, and suffering him peaceably to return to his friends in this State. Our personal acquaintance has been something like two years, our acquaintance with his Character and Politicks much longer. And sir by interfering and using your endeavors, so far only as you can consistently with your honor and situation in restoring him to his friends, you will confer a special favor of your friends and humble servts

"Aug. 16. 1813.

[The above letter was signed by]

"STEPHEN WILLSON,
"THOMAS CARLISLE,
"BENJAMIN BOARDMAN,
"WILLIAM LOVEJOY,
"THOMAS EAMES."

## THE CHRONICLE.

A late London paper, the *Times*, says—"The *Gottenburg* mail confirms our opinion, that the person of distinction, lately indisposed at Dresden, was *Berthier*. That celebrated assistant and follower of Bonaparte throughout his military career, died last month in the 60th year of his age."

Berthier was present at the siege of York-town, in 1781—he was one of the most accomplished men of the age; and *Bonaparte* has yet lost no friend on whom he so confidently depended.

*Vermont election.*—We have not the returns, but appears certain that Mr. *Galusha*, the "republican" is re-elected governor; the "Federalists" have gained some in the assembly, and the character of the body is doubtful.

# THE WEEKLY REGISTER.

No. 8 of vol. V.] BALTIMORE, SATURDAY, October 23, 1813. [Whole no. 112.

*Hæc olim meminisse juvabit.*—Virgil.

Printed and published by H. Niles, South-st. next door to the Merchants' Coffee House, at $ 5 *per annum.*

## The U. States Navy List, &c.

Inserted in our last, we exceedingly regret to say, has several errors. A moment's recollection would have pointed them out; but confiding in a partial statement furnished by a friend with a view to a complete list, we did not so carefully examine the facts as we ought, or are accustomed to do in things of the kind. The errors, so far as we are informed of them, are these—the frigates *Boston, Constitution, Congress, Essex, John Adams, President,* and *United States,* were "*built*" before the year "1800," as stated—say in 1798—and the *Hornet* in 1804 or 1805. *Mast. Com.* Charles G. Ridgley, is in *Baltimore,* and to command the sloop of war first to be launched here. The *Syren,* we believe, is under charge of *Mast. Com.* Parker.

## Transmission of the Register.

The numerous complaints that have reached me from the state of *Virginia,* within a few weeks past, of the *detention* of the Weekly Register, almost leads me to suspect what I would not willingly believe, that I am not fairly dealt with; but by whom, or where, I cannot form an idea. I have lost fifty subscribers in *Virginia,* because the Register is often detained 3 or 4 weeks on the road to places where it ought to arrive in from 3 to 8 days. This is too serious a matter to be lightly dealt with; and nothing shall be left undone to effect a discovery of the cause.

The editor has only to repeat what he has so often declared, that the *Register* is so strongly packed, that it cannot *honestly* fail of reaching its destination uninjured, unless by getting wet in the mail. I have numbers sent from this office a 1000 miles and upwards, which were returned in the *same envelope,* unruffled. And such things happen frequently:—the papers detained—are supposed lost and supplied,—then arrive and are politely sent back to keep up any files, by those who are anxious to preserve their own. And all the packages (again made up in strong bundles and addressed to the several states and territories) go into the Post-Office here on the *day of publication,* the packages for *Tennessee* excepted, which I prefer to retain until the *Tuesday* following, that they may proceed *directly on;* the mail for that state carrying papers but once in a week. From frequent observation (as well as from the great accuracy of the gentlemen in our Post-office) I am convinced that they go hence as regularly; and here all the charge *I* can have of them ends.

To ascertain the causes of *detention,* generally, and particularly that at this time complained of, the editor earnestly solicits the scrutiny with the advice of his friends.

## Legislature of Connecticut.

GOVERNOR'S SPEECH:

*Gentlemen of the Council, Mr. Speaker, and Gentlemen of the House of Representatives,*

The severe pressure of the war upon the people of this state, gives unusual importance to the present session of the general assembly.

As I have conceived necessary for the public safety, to avail myself of the enlarged powers delegated to the executive by the resolutions of the last legislature, it is proper that I submit to your consideration a brief statement of the circumstances under which those powers were exercised.

When the United States' squadron took refuge in the harbor of New-London, it was at one perceived that the decayed and feeble state of the fortifications afforded a precarious defence. The menacing appearance of the hostile squadron at the entrance of the harbor, and the strong probability that the town would be destroyed in the conflict which was hourly expected, produced amongst the inhabitants the greatest consternation. In this moment of alarm the major-general of the 3d division, and the brigadier-general of the 3d brigade considered themselves justified, at the earnest entreaty of the citizens, in summoning the militia to their assistance. Having issued orders for that purpose, they immediately dispatched an express to me with intelligence of these transactions. On this occasion I could not hesitate as to the course which it became my duty to pursue. The government of Connecticut, the last to invite hostilities, should be the first to repel aggression. In my view it was not a time to enquire into the character of the enemy or the causes which made him such, when our territory was invaded and our citizens were demanding protection; and when no inconsiderable portion of our gallant navy was exposed within our own waters, to instant capture or destruction. I made no delay therefore in signifying to those officers my entire approbation of their conduct. The necessary supplies were immediately forwarded, and generally such measures of defence were adopted as the emergency evidently required. Information of these proceedings, and of subsequent operations at New-London, was duly transmitted to the general government, and the instructions of the president, in relation to this important subject, were requested. I received assurances from the national executive that measures would be taken to put the fortifications, on the eastern side of the harbor of New-London, into a respectable state of defence: that the wages of the militia thus called into service under the authority of the state, should be paid from the national treasury; and that provision would be made for liquidating and discharging the accounts of the commissary and quarter master departments.

The causes which first occasioned the array of a military force at New-London has not ceased to operate. Accordingly at the request of the general government, a considerable body of troops has been kept at that station. I have endeavored, conformably to the advice of the council, to divide the duty between the militia and the military corps, and to spread detachments of the former over the several brigades. To men, however, who are accustomed to different pursuits, the service could not be otherwise than burdensome. The remark is particularly applicable to the regiments in the neighborhood of New-London. From their proximity to the scene of action they were of course first brought into the field; and although they were first dismissed as speedily as circumstances would permit, yet the fre-

quent alarms produced by sudden augmentations of the enemy's force as frequently compelled them to return. They have therefore suffered losses and privations which could be equalled only by the patience and magnanimity with which they were endured. Their hardships were unhappily increased by an occurrence, which as it is intimately connected with these events, ought not to pass unnoticed.—An order from the war department for the dismission of all the militia, then on duty, arrived at the moment a detachment from the distant brigades was on the march to relieve those who had been so repeatedly called into service. Believing the general government had the right of determining what degree of force would suffice to protect the national property, and unwilling to obtrude the services of our citizens upon the public when they were not desired, especially in a season so very important to our husbandmen, I issued instructions giving full effect to the order. Scarcely however had the disbanded troops reached their several homes, before a request for the militia was renewed, enforced by an urgent petition from the principal inhabitants of New-London and Groton. This combined application I felt no disposition to refuse. The requisite aid was immediately ordered; but from the necessity of the case, men who had been just discharged, were obliged to repair again to the post of danger, and to remain until a new detachment could be levied and brought to their relief. The ground of this procedure is hitherto unexplained.

The patriotism displayed by the officers and privates both of the military corps and of the militia during the whole of this anxious period, merits the highest commendation. Whilst their ready obedience to the first summons of their government has shown them to be the best of citizens, their strict attention to every part of military duty has proved them to be the best of soldiers. They have given the state indisputable evidence of their attachment to its constitutions, and of their ability to defend them.

The British force stationed in our waters having occasioned great inquietude along the whole of our maritime frontier, every precaution, consistent with a due regard to the general safety, has been adopted for its protection. Guards are placed at the points most exposed. In many towns on the coast the citizens exempt by law from military service, animated by a laudable zeal, have formed volunteer companies of artillery pursuant to the act, and the quarter master general has received directions to supply them with ordnance. The resident militia whether infantry, cavalry or artillery have been excused from other duty, and are allowed to remain as a local defence; and sufficient quantities of ammunition are distributed, suited to the various descriptions of force. In our present state of preparedness, it is believed a descent upon our coast will not be attempted, a well grounded hope is entertained that it will be attended with little success. Unfortunately we have not the means of rendering our navigation equally secure. Serious depredations have been committed even in our harbors, and to such an extent that the usual communication through the Sound is almost wholly interrupted. Thus while anxiously engaged in protecting our public ships, we are doomed to witness the unrestrained capture of our private vessels, and the consequent suspension of commercial pursuits. These, it must be admitted, are necessary effects of a state of war, but they are not the less to be deplored.

In obedience to a resolution of the assembly passed at the last session, I made immediate application to the government of the United States, for the proportion of arms to which the militia of this state are entitled, under the act of congress making appropriations for that object, and I have the satisfaction to inform you that two thousand stands are received. By the act just mentioned it is made the duty of the legislature to provide by law for their distribution.

The various military supplies authorised by the resolves of the last session, are for the most part procured. The wisdom of the legislature in these preparatory measures became sufficiently evident from the events which soon after followed. As the United States were not in a condition to provide tents, camp equippage, or the suitable ammunition, our troops were furnished in these respects, and for a considerable time with subsistence also, by the quarter-master general and commissary general of the state.

You will perceive the expediency, gentlemen, of carefully reviewing the "Act for forming and conducting the military force of this state." Several obvious amendments are suggested by the present situation of our country. Amongst others it is desirable that the penalty for refusing or neglecting to perform a tour of duty, agreeably to the provisions of this act, should be rendered more definite, if not more efficient. You will also consider the propriety of prescribing rules for the government of the militia whilst in actual service, under the authority of the state. Although recent experience may have shewn that an habitual love of order and subordination supersedes, in a great measure, the necessity for any new restraints, still you will reflect whether it is either prudent or safe to remain in this respect wholly destitute of some positive regulations.

It will not be expected, gentlemen, that I should particularly recommend to your notice the various subjects which may properly occupy the deliberations of the assembly. They are confined principally to affairs of a local nature and will not escape your observation. Our political system calls for no theoretical reforms; nor does our happy state of society depend on a multiplication of laws. I should rejoice in being permitted to announce to you that our prospects abroad correspond with that degree of quiet and security to be found at home.

*Gentlemen*—The progress of the war affords little hope that its calamities will soon come to an end. The characteristic bravery of our seamen, in whatever service they are engaged, is indeed a just theme of national exultation; and it is devoutly to be wished that our naval triumphs may produce an auspicious effect upon this unhappy contest, the evils of which are seen and felt in whatever concerns the real prosperity of the country, To mitigate these evils, you will be disposed to employ every faculty which the structure of our government allows you to exercise; and if any constitutional effort on your part may contribute to remove them, I am persuaded it will not be withheld. The sentiments of the people of Connecticut upon this momentous subject cannot be misunderstood. Their disapprobation of the war was publicly declared through the proper organ, shortly after hostilities commenced; accompanied with an assurance that the obligations imposed by the constitution should nevertheless be strictly fulfilled. If no event has occurred to vary their opinion, the highest evidence is furnished of fidelity to their engagements. They have pursued that honorable course which regards equally the legitimate claims of the confederacy, and the rights and dignity of their own government.

It is with peculiar satisfaction, gentlemen, that I meet you in general assembly at this interesting pe-

riod. I freely submit to your examination those measures which the crisis seemed to demand and which my best judgment led me to adopt; and I shall cheerfully accept your counsel and direction, relative to that line of conduct which the executive ought to observe, as well under the circumstances which now exist, as in those emergencies which will probably arise.

While we implore the smiles of Divine Providence upon our endeavors to promote the public welfare, let us be thankful that amidst the distresses of war, so much internal tranquility has prevailed, and that notwithstanding the revolutions which agitate the world, we still enjoy the privileges of freemen, with dispositions to defend and perpetuate these inestimable blessings.

JOHN COTTON SMITH.

*General assembly, Oct. session*, 1813.

# Barbarities of the Enemy.

DOCUMENTS

*Accompanying the report of the committee of the house of representatives, appointed to enquire into the spirit and manner in which the war has been waged by the enemy.*

(Continued from page 109.)

No. VIII.

Massacre and burning of American prisoners surrendered to officers of Great-Britain, by indians in the British service. Abandonment of the remains of Americans killed in battle or murdered after the surrender to the British. The pillage and shooting of American citizens and the burning of their houses after surrendering to the British, under the guarantee of protection.

*Extract of a letter from Augustus B. Woodward, esq. to gen Proctor.*

Detroit, February 2d, 1813.

"They [the inhabitants of Michigan] have entertained a constant apprehension that when the American forces approach the territory, and when an engagement had taken place, the fury of the savage mind at the sight of blood, and in reflecting on the dead they lose, and perhaps on the retaliatory treatment of prisoners, or of the dead, which their cruel mode of warfare is always likely to produce, might drive them to an ignoble revenge on the prisoners they find in the country, and the inhabitants of it, who are American citizens. They therefore pressed this subject on your attention previous to the battle of the 22d of January, 1813; and felt satisfied with your assurance that you considered your own honor pledged for their effectual protection.

"Since the result of that battle, facts are before their faces which they cannot shut their eyes upon. Some of them are perhaps unknown to yourself. I will enumerate some which I believe there will be no difficulty in establishing beyond the reach of contradiction.

"*First.*—Some of the prisoners after the capitulation of the 22d of January, 1813, have been tomahawked by the savages.

"*Second.*—Some of the prisoners after that capitulation, have been shot by the savages.

"*Third.*—Some of the prisoners after that capitulation have been burnt by the savages.

"*Fourth.*—Some of the inhabitants of the territory of Michigan, citizens of the United States of America, after the capitulation, have been shot by the savages.

"*Fifth.*—The houses of some of the inhabitants of the territory, American citizens, after the capitulation, have been burnt by the savages.

"*Sixth.*—Some of the inhabitants, American citizens, after the capitulation, have been pillaged by the savages."

A. W. M'LEAN, ESQUIRE, TO MR. WOODWARD.

*Sandwich, 9th February*, 1813.

SIR—You will have the goodness to appoint a day for the purpose of adducing before colonel Proctor such proof as you may have, to substantiate the assertions in your letter to him, relative to the slaughter of the enemy's sick and wounded, on the 22d of January last. I have the honor to be, &c.

(Signed) A. W. M'LEAN, Aid-de-camp.

*Extract of a letter from Mr. Woodward to general Proctor.*

" Sandwich, February 10th, 1813.—I had the honor to receive, on the third day of this month, a verbal message from you, communicated to me by major Muir, requesting me to procure some evidence of the massacre of the American prisoners, on the 22d day of January last.

"I met with only a few persons at Detroit who are inhabitants of the river Raisin, nor was it altogether a pleasant task to those, to relate, in these times, the scenes they have beheld. Some of them, however, appeared before a magistrate, and I send you copies of what they have stated. It will occur to you, sir, immediately, that what any of them state on the information of others, though not direct evidence in itself, leads to the source where it may be obtained.

"In communicating your message, major Muir added something having relation to American citizens, who might be willing to take the oath to the king.

"It will be obvious to you, sir, that in a state of open and declared war, a subject or citizen of one party cannot transfer his allegiance to the other party, without incurring the penalties of treason; and, while nothing can excuse his guilt, so, neither are those innocent who lay temptation before them.

"The principles adopted by the United States on the subject of expatriation, are liberal, but are perfectly inapplicable to a public enemy in time of war.

"Some of the French inhabitants of the territory of Michigan, citizens of the United States of America, have been much urged on this subject, and are apprehensive of being further troubled.

"I had the further honor of receiving, on the 8th instant, your verbal message by your aid-de-camp, Mr. M'Lean, acquainting me that there was no capitulation on the 22d of January, and that the prisoners surrendered at discretion.

"I, therefore, beg pardon for that mistake.

"The principles, however, of the law of nations, impose an obligation almost equally strong."

No. 25.—TRANSLATION.

*Territory of Michigan,* }
*District of Detroit,* } ss.

Personally appeared before me, the undersigned, one of the justices of the peace in the district of Detroit, Joseph Roberts, an inhabitant on river aux Raisins, who being duly sworn on the Holy Evangelists, deposes and says; that on the next day after the battle on the said river Raisins, a short time after sunrise, he saw the indians kill the American prisoners, with their tomahawks, and that they shot several, to wit, three, that the indians set the house on fire, and that in going out, the prisoners were massacred and killed as aforesaid, that is to say: three were shot, the others were killed in the houses, and burnt with the houses. The indians burnt first the house of Jean Baptiste Jereaume, and afterwards that of Gabriel Godfrey, junior. The deponent has been informed that there were about forty-eight or forty-nine prisoners in the two houses. The deponent has seen dead bodies on the high way, which the hogs were tearing and eating. Mr. Brunot told the deponent that the indians had killed those of the prisoners who were least wounded and that the others were burnt alive.

Antoine Cuiellarie and Alexis Salliot, inhabitants of the river Ecorces, told the deponent that two prisoners had been burnt in the house of Grandon, on the river aux Sables. The deponent has heard that the indians had torn out the hearts of the prisoners, and had brought them still smoking into the houses, but did not recollect the names of the informants; he believes, however, they were men worthy of credit.

The deponent says further, that after the first action on the river Raisin, the indians fired on one named Solo, son-in-law to Stephen Labeau, an inhabitant on the river aux Sables, when returning from the house of Grandon to his father-in-law; on his arrival, he halloed to his father-in-law to open the door, saying that he was mortally wounded; Stephen Labeau opened the door and told his son-in-law to throw himself on his bed, but that in trying to move he fell dead. An indian knocked at the door, and Labeau having opened it, received a ball in his breast, and fell dead. The son of Labeau made his escape; the indians shot several shots at him which did not reach him.

The deponent says further that Baptiste Couteur was killed near the house of the deponent, on the day of the second battle on the river Raisin, a little after sunrise.

The deponent says further, that the indians have often threatened to burn his house and barn, if he did not march with them against the Americans. The deponent says he is an American citizen.

The deponent says that several of his neighbors have told him that they had received the same threat. Other settlements have been threatened with fire. The mills and houses on the river aux Roches were burnt in the month of September last, after the capitulation of Detroit. And further this deponent said not.

JOSEPH ROBERT.

Sworn and subscribed before me, the 4th February, 1813.

PETER AUDRAIN, J. P. D. D.

No. 26.

*Territory of Michigan,* }
*District of Detroit,* } ss.

Be it remembered, that on this day, February the fourth, A. D. one thousand eight hundred and thirteen, personally came before the undersigned, a justice of the peace for the district aforesaid, viz. John M'Donnell, an inhabitant of the city of Detroit, who after being duly sworn upon the Holy Evangelists of Almighty God, deposeth and saith, that a few days after the battle of the 22d January last, (at the river Raisin) he was personally present at the house of James May, esq. when he heard the same James May ask Mr. William Jones, the acting agent for the indian department, if there would be any impropriety in purchasing the prisoners from the indians; and that he heard the said William Jones say 'that he thought there would be no impropriety in purchasing them, but would not undertake to authorise any person to do so;' that in consequence of which this deponent purchased three or four of the prisoners, amongst the number was one by the name of —— Hamilton, a private in the Kentucky volunteers, who declared to this deponent, that on the first or second day after the battle at river Raisin, on the 22d January last, as he and some of his fellow-prisoners were marching with the indians between this place and river Raisin, they came up to where one of the prisoners was burnt, the life just expiring, and an indian kicking the ashes of his back, saying '*damned son of a bitch.*'

This deponent also further deposeth as aforesaid, that doctor Bowers, a surgeon's mate of the Kentucky volunteers, who was purchased by him and some other gentlemen, stated to this deponent 'that he was left to take care of the wounded after the battle, but felt rather timid on account of the savages, but that he received such assurances from captain or colonel Elliott, of the safety of himself as well as the remaining prisoners, he concluded to stay, as *sleighs* were promised to be sent to fetch them away the next morning; that near about daylight of the morning following the day of the battle, the indians came into the house where said Bowers was with the other prisoners, and proceeded to plunder and tomahawk such as could not walk, and stripping the said Bowers and the wounded prisoners of all their clothes; that while the said Bowers and two other prisoners, named Searls and Bradford

as near as this deponent can recollect, were sitting by the fire in the indian camp, an indian came up who appeared to be drunk, and called the said Searls, as near as this deponent can recollect, a *Madison* or *Washington*, then took up a tomahawk and struck the said Searls on the shoulder; that the said Searls caught hold of the tomahawk and held it for some time; that the said Bowers advised the said Searls to submit to his fate; with that, the indian gave him a second blow on the head, *killed, scalped* and stript him; during this time the said Bowers and Bradford were personally present, and being apprehensive for their own safety, that he, Bowers, ran and came up to the old chief (who sold him to this deponent and others) who took him under his protection, and was very kind to him.' This deponent further deposeth, that he has reason to believe the aforesaid Bowers and Hamilton are now at Sandwich, and if applied to, they could give more ample information relative to the particulars aforesaid. And further this deponent sayeth not. JOHN M'DONNELL.

Sworn and subscribed at my chambers in the city of Detroit, the day and year before written. JAMES MAY.

APPURTENANCES TO NO. 26.

No. 1.

*Note from Mr. John M'Donnell to James May, Esquire.*

Detroit, February 4, 1813.

*Dear Sir*,—I had a conversation with Mr. Smart, after leaving your house to-day, who had a conversation with Bowers and Bradford. He observes that I have made several material errors in my affidavit before you this day. He says the prisoner killed was of the name of Blythe, instead of Searls; and mentions some other errors that differ widely from what I have sworn to, so that I think it is a pity that Bowers' and Bradford's own affidavit could not be had instead of mine. Yours, J. M'DONNELL.

*James May, esquire,*

No 2.

*Note from Mr. M'Donnell to Mr. Lyons, his clerk.*

I wish you to mention to judge Woodward, that application is made for me by a friend on the other side, to remain till the navigation opens. On that account I hope that he will keep back the deposition that I have made regarding the murders committed by the savages on the river Raisin, as he has much better testimony to substantiate facts than what I have sworn to on hear say; and as I am sure, if the colonel was even disposed to hear my application, that affidavit will be enough to send me off, or else if I was allowed to remain, Elliott would act the indians on me.

No. 7.—TRANSLATION.

*Territory of Michigan,* } ss.
*District of Detroit,* }

Personally appeared before me, the undersigned, one of the Justices of the peace in the district of Detroit, Antoine Boulard, of the river aux Raisins, who being sworn on the Holy Evangelists, deposeth and says, that on the next day after the last battle on the river aux Raisins, he saw the indians kill the secretary of the American general, who was on the horse of the indian who had taken him prisoner, with a rifle shot; that the prisoner fell on one side, and an indian came forward with a sabre, finished him, scalped him, stript him and carried away his clothes. The body remained two days on the high-way, before the door of the deponent, was part eat up by the hogs. Afterwards, the deponent, together with Francois Lassalle, Hubert Lacroix, Chs. Chovin, and Louis Lajoye, took up the corpse at dusk of the evening, and carried it into a field near the woods, where the hogs did not go. They dared not to bury it for fear of being surprized by the indians. And further this deponent saith not.

ANTOINE (his ✕ mark) BOULARD.

Sworn and subscribed in my presence, the 5th February, 1813.
PETER AUDRAIN, J. P. D. D.

No. 28.

I hereby certify, that the next day after the last battle on the river aux Raisins, the secretary of the American general was taken near the door of the deponent; was wounded and placed on a horse; that seven or eight indians were near the house, one of whom shot him in the head with a rifle; that he did not fall off his horse until another indian, drawing a sabre, struck him on the head several times, and then he fell to the ground; was scalped and stript of his clothes, and left on the road, where he remained one day and a half; I, the deponent, with Francois Lasselle, Hubert Lacroix, Louis Chovin, on the evening of the second day, took up the body, carried it to the skirts of the woods, and covered it with a few branches, but could not stay to bury it, for fear of the indians that were in the neighborhood; and on the next day after the last battle I was near the house of Gabriel Godfrey junior, and the hous of Jean Babtistere Jeroam, where a great number of prisoners were collected; and that I heard the screaming of the prisoners whom the indians were tomahawking; that the savages set the houses on fire and went off.

*Detroit, 5 February*, 1813.

LOUIS (his ✕ mark) BERNARD.
dit Lajoye.

No. 29.

I certify, that the bodies of the Americans killed at the battle of la riviere aux Raisins, of the twenty-second of January last, remained unburied; and that I have seen the hogs and dogs eating them.

The hogs appeared to be rendered mad by so profuse a diet of christian flesh.

I saw the houses of Mr. Gerome and Mr. Godfroy on fire, and have heard that there were prisoners in them.

The inhabitants did not dare to bury the dead on account of the indians.

The inhabitants have been threatened by the indians, if they did not take up arms against the Americans.

*Michigan, February 8th*, 1813.

(Signed) ALEXIS (his ✕ mark) LABADIE.

This is to certify, that on or about the twenty-eighth day of January last past, an indian woman came to my dwelling house, on the river Rouge, and informed that on the morning of that day an American prisoner had been killed in the indian camp, and the reason she assigned for killing him was, because he had expressed a hatred for the indians. ROBERT ABBOT.

*Detroit, 8th Feb.* 1813.

*Territory of Michigan,* } sollicit.
*District of Detroit,* }

Personally appeared before me, the subscriber, Aaron Thomas and Agnes Thomas, his wife, who both made oath on the Holy Evangelists of Almighty God, that the indians have taken from them, from the house of Mr. Atwater, on the 16th of August, 1812, one chintz gown, valued seven and a half dollars, one calico gown, valued three dollars seventy-five cents, one calimanco petticoat valued four dollars, one pair of cotton stockings, one dollar fifty cents, one pair woolen stockings seventy-five cents, one pair of silk gloves, one dollar fifty cents, one new small trunk two dollars, one pocket-book two dollars, thread one dollar, needles fifty cents, one shawl one dollar, one cambric handkerchief seventy-five cents, one cotton ditto sixty-two and one half cents, one shift one dollar, three-fourths of a pound of pepper fifty cents, one cake of chocolate twenty-five cents, one fan fifty cents, one blanket three dollars, one cloak ten dollars, three yards of check cotton ninety-three and three-fourths cents, one shawl one dollar, one flannel loose gown three dollars. On the twelfth September, taken on river Rouge, one chesnut sorrel horse fifty dollars—saddle and bridle ten dollars. On Friday, the eleventh September, taken on river Rouge, one other saddle, eight dollars, one pair leather leading lines two dollars fifty cents, leading lines seventy-five cents, one axe two dollars fifty cents, chintz patches two dollars.

Sworn before me at my chambers, 17th September, 1812.

(Signed) P. AUDRAIN, J. P. D. D.

*Letter from the indians to the inhabitants of the river Raisin—not dated.*

The Hurons, and the other tribes of indians, assembled at the Miami Rapids, to the inhabitants of the river Raisin.

FRIENDS! LISTEN!

You have always told us you would give us any assistance in your power.

We, therefore, as the enemy is approaching us, within twenty-five miles, call upon you all to rise up and come here immediately, bringing your arms along with you.

Should you fail at this time, we will not consider you in future as friends, and the consequences may be very unpleasant.

We are well convinced you have no writings forbidding you to assist us. We are your friends at present.

(Signed) ROUND HEAD.
*By an emblem resembling a horse.*
(Signed) WALK IN THE WATER.
*By an emblem resembling a turtle.*

No. 33—TRANSLATION.

Letter of the inhabitants of the river Raisin, dated Riviere Aux Raisins, the 13th of November, 1812.

*To the honorable judge Woodward, Detroit, Riviere aux Raisins, the 13th November*, 1812.

SIR,—In the embarrassment in which we find ourselves at present, on the subject of a letter addressed to colonel Navar, on the part of the Hurons and other savage tribes, we depute him to you to represent to you the situation of the inhabitants of the river Raisin, praying you to assist him with your advice in so deliciate a matter, having at all times had great confidence in your great knowledge.

We have the honor to be, with profound respect, your obedient servants,

(Signed) JAQUES LASELL,
JEAN BATISTE GEROME,
JEAN BATISTE BEAUGRAND,
FRANCOIS LASSELL,
DUNCAN REID,
JEAN BATISTE LASELLE.

*Extract from the report of ensign Isaac L. Baker, agent for the prisoners taken after the battle of Frenchtown, January 2d*, 1813, *to brigadier-general Winchester, dated "British Niagara, February* 26, 1813.

"For the greatest number of our unfortunate fellow-soldiers being sent from Detroit, we are indebted to the exertions of our prisoner fellow-citizens there, who with unexampled generosity when they saw their countrymen driven through the streets like sheep to a market, lavished their wealth for their ransom. Nor was the procuration of our liberty all. We had been almost entirely stript by the indians. Clothes, such as the exigency of the occasion permitted to be prepared, were furnished us.

"On the 8th instant colonel Proctor ordered me to make out a return of all the prisoners who were killed by the indians subsequent to the battle, agreeable to the best information I could collect. The enclosed return marked B, was produced by this order. I might have added the gallant captain Nathaniel Gray; S. Hart, deputy inspector general; captain Virgil M'Cracken, of colonel Allen's regiment; captain John H. Woolfolk, your secretary; ensign Levi Wells, of the 7th United States infantry, and a number of privates, whom I find by subsequent information, have been massacred.

"The memory of past services rendered me by captain Hart's family, made me particularly anxious to ascertain his fate. I flattered myself if he was alive, and every information I could get for some time flattered my hopes. But one of the last prisoners who was brought in, told me that the captain was certainly massacred. He was so badly wounded as to prevent him from walking. The indians took him some distance on a horse, but at length took him off and tomahawked him.

"About the 10th instant, an Indian brought captain M'Cracken's

commission to Sandwich—the paper was bloody. The fellow said he took the captain unhurt, but some time after, when stripping and examining him, he found an indian scalp in his bosom, which induced him to kill him. This, you cannot but be assured, is a humbug of the fellow's own making, to screen himself from the odium of barbarity. The captain's character, and the danger that attended his carrying such furniture in a disastrous battle, give it the lie.

"Captain Woolfolk, after having been wounded in two places, by some means had got refuge in one of the French houses on the Raisin. He was discovered next day and dragged from his asylum. He was taken to the house of a Mr. Laselle, where he said he would give 1000 dollars to any one who would purchase him. Mr. Laselle said it was out of *his* power, but he had no doubt his brother would do it, who lived at hand. He directed his owners to the house of his brother, but, as they were on their way, an indian from a waste house shot him through the head.

"Ensign Wells was taken by my side unhurt. I considered him as alive until my arrival at this place. Captain Nags tells me he was killed by a Pottawatimie indian, not long after he was taken.

"Many fresh scalps have been brought in since the battle, and dead bodies seen through the country, which proves that others have been killed whose names I have not been able to find out, independent of those reported to colonel Procter.

"This, sir, is all the information I have been able to collect, concerning those who are massacred. The fifteen or eighteen mentioned in the remarks to the return made to colonel Procter, whose names do not appear, were not known by those who saw them killed.

"Major Graves of the 5th regiment of Kentucky volunteers. I have been able to get no information of, further than that he was brought to the river Rouge, on the 25th or 26th of January in a sleigh. I fear, from our having heard nothing of him since, that he is no more, and that valuable officer forever lost to his country.

"The dead of our army are still denied the rites of sepulture. At the time I left Sandwich, I was told the hogs were eating them. A gentleman told me he had seen them running about with skulls, arms, legs and other parts of the human system in their mouths. The French people on the Raisin buried captains Hart, Woolfolk and some others, but it was more than their lives were worth, to have been caught paying this last accustomed tribute to mortality.

"I have several times agitated the subject of burying the dead, when in company with the British officers, but they always answered that the indians would not suffer it."

B.

*A return of the American prisoners who were tomahawked by the indians subsequent to the battle at Frenchtown, January 22d, 1813.*

1. Pascal Hickman, captain; 2. James E. Blythe, private; 3. Charles Gerles, do. 4. Thomas S. Crow, do. 5. Daniel Darnell, do. 6. Thomas Ward, do. 7. William Butler, do. 8. Henry Downy, do. 9. John P. Sidney, do.

In addition to the above number, I saw two others tomahawked at Sandy creek myself, and find that the prisoners now in the hospital in Sandwich saw, say fifteen or eighteen others, treated in the same manner. Two men tell me they saw one who had the appearance of having been burned to death. Those men who saw Henry Downy and William Butler killed, tell me that the indians left them without scalping.

ISAAC L. BAKER, *Ensign 2d U. S. infantry.*

Colonel H. Procter.

*Extract of a letter from major-general Harrison to the secretary at war, dated at the Miami Rapids, February 11, 1813.*

"I have the honor to enclose to you the deposition of Medard Labadie, who was at the river Raisin on the 22d ultimo, and remained there till the 6th instant. His account of the loss of the enemy in action, is corroborated by several others, nor is there the least reason to doubt his statement, as it regards the horrible fate of our wounded men. There is another circumstance which plainly shews that the British have no intention to conduct the war (at least in this quarter) upon those principles which have been held sacred by all civilized nations. On the 30th ultimo I dispatched doctor M'Keehan, a surgeon's-mate in the militia, with a flag, to ascertain the situation of our wounded. He was attended by one of our militia-men and a Frenchman. On the night after their departure, they halted near this place for the purpose of taking a few hours' sleep, in a vacant cabin upon the bank of the river. The carriole in which they travelled was left at the door with the flag set up in it. They were discovered by a party of indians (accompanied, it is said, by a British officer) and attacked in the manner described in the deposition. The militia-man was killed and scalped, the doctor and the Frenchman taken. Doctor M'Keehan was furnished with a letter addressed to any British officer whom he might meet, describing the character in which he went, and the object for which he was sent, an open letter to general Winchester, and written instructions to himself, all of which he was directed to shew to the first officer he met with. He was also supplied with one hundred dollars to procure necessaries for the prisoners."

The affidavit of Medard Labbadie, late resident near the river Raisin, in the Michigan territory. He being sworn, saith, he was in his house when he heard the guns at the commencement of the action at the river Raisin, on the 22d January, 1813, between the American forces under general Winchester, and the British Canadian and indian forces, said to be commanded by colonel St. George. After some little time, he heard that the indians were killing the inhabitants as well as the Americans, upon which he went towards the scene of action, in order to save his family. As he went on, he was with one other inhabitant taken prisoner by two Wyandot indians, and carried prisoner to the indian lines, from which he saw great part of the action. The right wing of the Americans had given way before he got sight of the action. It terminated after the sun was some hours high, not far from 11 o'clock, A. M. by the surrender of the American forces that then remained on the ground. He saw the flag hoisted by the British sent to the American forces, and saw it pass three times to the Americans before the surrender. He could not understand English, but understood that general Winchester was taken prisoner before he got to the lines of his own men; that he was compelled to carry the flag to his own forces after he was taken; that he understood the reason of the flag passing so often was, that the Americans refused to surrender upon any other terms than that the wounded should be taken care of, the dead buried and the inhabitants protected in their property. That the British first refused to agree to these terms, but finally did agree to them. He also understood that the loss of the British and indians in the action was about 400 killed. He also understood that the loss of the Americans in the action was about 180 killed.

He knows that on the day of the action all the prisoners who were able to march were marched off towards Malden; the wounded, about 60 or 80 in number, left in two houses without any of their friends or a physician to take care of them, and without any British officer or men. About ten indians remained behind upon the ground; the balance of the indians went off with the British, and he was told by some of the Canadian militia that the British had promised the indians a frolick that night at Stony creek, about six miles from the river Raisin.

He was liberated after the line of March was formed for Malden. The next morning he was in the houses where the wounded were. That morning about fifty indians returned; they brought whiskey with them; they drank some and gave some to the indians there, and between 9 and 10 o'clock, A. M. commenced killing the wounded, then set fire to the houses the wounded were in, and consumed them. He was at his father's, on this side of the Detroit river, about seven days after the action, and saw across the river the prisoners marched off for Niagara from Malden.

He saith that he saw taken by his house, by captain Elliot, and nine Wyandot indians, two men that he understood had been sent by general Harrison with a flag to the British. One of the men (Mr. Tessier) he knew, the other he did not know, but understood he was a doctor. He had not an opportunity of conversing with them, but understood from an inhabitant, to whom Mr. Tessier communicated it, that they stopped for the night and left the flag hoisted on the carriole; and that the flag was taken away unknown to them, and that the indians fired on them; that he, Tessier, and them they were Frenchmen, and surrendered, upon which the indians ceased firing and took them. They then mentioned they were sent with a flag. The indians said they were liars and took them off.

Mr. Tessier was set at liberty at the river Raisin, and remained two days expecting the doctor to return; at the end of which time Tessier was sent for by the British and taken to Malden. He understood that the doctor was sent off immediately to Niagara; the doctor was wounded in the ancle. He understood the British charged the doctor and Tessier with being spies. And further he saith not.

(Signed) MEDARD LABBADIE.

Witness, C. Gratiot, captain of engineers and interpreter.

Sworn to before me this 11th day of February, 1813. Camp, foot of the Miami Rapids.

(Signed) C. S. TODD, *dis. judge ad.*

A true copy—R. GRAHAM, *aid-de-camp.*

*(To be concluded.)*

# "The friends of the Navy."

It is not among the least of passing wonders, that certain men calling themselves a "*peace party*," and using every possible means, honorable or dishonorable, to bring defeat and disgrace on all the warlike operations of the United States, should claim for themselves the whole glory of the mighty deeds performed by our little navy, and give to the heroes that achieved them a *political designation* as opposite to *their own conduct* as the antipodes. It is of no consequence to the public what a man *has been*; it is sufficient that "he *is* honest, that he *is* capable, that he *is* faithful to the constitution." And any one may hold what *private opinion* he pleases, on *religion* or *politics*, without cause of offence, provided he performs what is due to society and is true to his country. The liberal-minded pay little regard to *names*; they judge the *actions* of a man. But the *language* of our naval heroes exactly coincides with their *actions*, and it is an infamous libel upon them to suppose that they would sustain with their lives the principles of the war, if the war were "*wicked and unjust.*"

It ever has been a favorite idea with the editor that the body of the people composing the two great parties of the United States, were equally jealous of the honor of their country—and if what *faction** says of the officers of the navy be true, as that they

* NOT "*federalism?*"

are "federalists,†"that idea is charmingly supported by their patriotic exertions to vindicate the rights we contend for—epitomized in com. *Decatur's* famous toast of "FREE TRADE AND NO IMPRESSMENT."

One of the differences of opinion in the two political sections of the people, regarded the naval establishment. The "federalists" were understood as wishing it more extensive than the "republicans" believed was consistent with sound policy. It is not our present purpose to examine the causes why those opinions were formed; we only notice their existence to shew, that without a *political*‡ idea coming into the consideration, the officers of the navy naturally cleaved to that interest they believed most likely to subserve their own; for it is as reasonable that a navy officer should approbate an increase of the navy establishment, as for a merchant or a mechanic to desire an extension of his business; and without it, he must have expected to remain nearly stationary, a condition most unsuitable to a generous spirit. They, therefore, *in this respect*, must needs have been "federalists." But there is something else that may have influenced them.

It will be recollected, that Mr. *Jefferson*, soon after he came into the presidency, sold, by public auction, many of the United States' vessels. This act must have checked the noble aspirings of many youthful officers, thirsting for promotion. They felt the *effect* as coming from the "republicans;" and it is the easiest thing in the world to transfer resentment from law itself to the execution of it. Besides, *faction* has so often presented the sale of those vessels as the act of the "republicans," and given it in evidence of *their* hostility to the navy, so many millions of times, with a hardihood in falshood unprecedented, that thousands believe the act for this sale was passed by Mr. *Jefferson's* political friends—though the statute books record it as the deed of a "federal" congress, approved by a "federal" president, Mr. *John Adams*. And the law was a good one. The vessels directed to be sold were purchased for a temporary purpose; and that purpose being answered, they were directed to be sold—for the very excellent reason, that they would require great repairs; and, when repaired, would never be worth much as *ships of war*, having been common merchantmen.

Like causes produce like effects. Who gave to *Lawrence*, to *Jones* and to *Burrows*, and even to *Hull* and to *Bainbridge*, the opportunity to earn a name, and immortalize themselves? Who afforded to *Chauncey* the high renown of putting a superior *British* fleet, (commanded by one of the most experienced officers of their navy) to frequent flight, and hocking it up? Or, furnished the means by which heroic *Perry* had the great glory of capturing the first fleet the *British* ever lost? *Rodgers* and *Decatur* had already established a character; but the rest had not had the chance to signalize themselves, and must have remained in comparative obscurity but for the "events of the war." Honor and interest, then, as well as patriotism, direct the officers to support the government in the noble stand it has taken; and when the new frigates and sloops are afloat, we shall have a repetition of gallant feats performed by men now known to the people only by the roll of officers attached to the navy department. They have been patronized by the executive to the extent of their hopes, and their labors are richly rewarded in the gratitude of an admiring country. Can they be opposed to a war in which they fight so eagerly? Would they put down an administration that has so sincerely cherished them? We cannot believe either, unless we charge them with hypocrisy and ingratitude combined. This, at least, is very certain, that they do not consider the war as *"unjust or unnecessary;"* nor do they think it wrong to win a battle, though *faction*, through the *senate of Massachusetts*, has declared that a *"moral and religious people"* shall not rejoice at it!—*It is also positive that they are not of the* "PEACE-PARTY." They are not bound to the service—they entered it voluntarily, and may retire when they please. But, it may be, said, it is their profession; the means by which they obtain a livelihood. Very well—but if money has been furnished to prevent the general marching of a certain militia to the lines at this important period (and it is confidently stated that great sums were in readiness to pay the fines of any that refused) can we believe that *ways and means* would be wanting to provide for officers of the navy thinking it wrong to contend with the *"bulwark of the religion we profess,"* who should resign in disgust with *"the wicked authors of this wicked war?"* Certainly not. Such resignations would be trumpeted forth and *supported* by the whole power of *faction* and *England*, in the thousand wonderful ways that the distributors of the *secret service money* know of.§ But the very heart and soul of our seamen is engaged in this war. The most of them had some vow of vengeance unfulfilled; for most of them had suffered by the insolence or tyranny of their present open enemy. They are all *volunteers*, officers and men—they go to battle of their own free will; and he is a base scoundrel that does of his free will what his conscience tells him is wrong. Who shall say that this is the character of our tars?

We might pursue this subject and from general remarks descend to individual cases, to expose the canting hypocrisy of these pretended *"friends of the navy;"* a set of strange and inconsistent beings tossed about by their passions, and continually involving themselves in some ridiculous absurdity. We shall merely and briefly notice—that these "friends of the navy" hate, most wickedly hate, com. *Rodgers* because he refused to strike his flag to the drunken captain of "the king's" sloop the *Little Belt*; and because he said that nearly one half of the crew of the *President* frigate had, at one time or other, been *impressed* by the *British*. These "friends of the navy" hold up com. *Decatur* to ridicule, by using his famous toast, (a sentiment that will be supported while the pine tree grows to bear our ensign) of "*Free trade and no impressment*," as a motto to announce the arrival of *waggons*, whether from the interior as heretofore, or to places where the intercourse was chiefly by water. A "friend of the navy," imported from *Ireland*, I believe was the father of this *witty* application. It may perhaps be

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‡ As applied to the *parties*.

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are "federalists,†"that idea is charmingly supported by their patriotic exertions to vindicate the rights we contend for—epitomized in com. *Decatur's* famous toast of "FREE TRADE AND NO IMPRESSMENT."

One of the differences of opinion in the two political sections of the people, regarded the naval establishment. The "federalists" were understood as wishing it more extensive than the "republicans" believed was consistent with sound policy. It is not our present purpose to examine the causes why those opinions were formed; we only notice their existence to shew, that without a *political*‡ idea coming into the consideration, the officers of the navy naturally cleaved to that interest they believed most likely to subserve their own; for it is as reasonable that a navy officer should approbate an increase of the navy establishment, as for a merchant or a mechanic to desire an extension of his business; and without it, he must have expected to remain nearly stationary, a condition most unsuitable to a generous spirit. They, therefore, *in this respect*, must needs have been "federalists." But there is something else that may have influenced them.

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well enough for him to support the cause of *his master*‖ by underrating the great principles for which both the army and navy contend; but that natives should so eagerly copy the libel on the gallant *Decatur*, has surprised me much. The brave *Bainbridge* has come in for his share of abuse—he offended the "friends of the navy" by saying in an official letter to the secretary of the navy, "*that he had determined to maintain our* belligerent rights, *for that as* neutrals no rights *had been left us.*" This was rank "jacobinism;" it denied the "magnanimity" of *G. Britain*, and has subjected him to many mean, but untangible insinuations. As to *Chauncey*, he ruined himself with these "friends of the navy" by putting the fact upon official record, that a *human scalp* was found in the legislative hall of Upper Canada, suspended near the *mace*. This was a dreadful stroke upon the "*bulwark of our religion*;" and *all the English* have him of course. They have greatly libelled him latterly; they had not the hardihood to say that he was a *coward*, but they have constantly insinuated that he was afraid to meet the "*gallant Yeo.*" As to *Perry*, at the instant he gained the victory on *Erie*, the *faction* claimed him as a "federalist." Stunned by the splendor of the deed, its consequences were not discerned, and even the folks at *Boston* voted him a sword, for his valor in conducting the "*wicked war* upon the *innocent Canadians.*" But, now it appears, that that victory opened "the way to enter the heart of the country," *and backing out*,¶ they call the splendid illumination at *Charleston* a "*mania.*" And thus they go on through the whole list to shew themselves FRIENDS OF THE NAVY.

## War Prospects.

Being, in sincerity and truth, a *friend of peace* with all nations, the editor heartily congratulates his readers on the prospect of speedily obtaining it, through the *united* exertions of the people to prosecute the war, and give it termination on honorable terms. The resistance of the madmissible pretensions of the enemy daily becomes more popular, as is proved by the recent elections, and the increased facility with which the government obtains men and money.

There are no rules of policy or expediency that should lead a good citizen, or wise administration, into a quarrel; nor ought temporary convenience to permit the abandonment of a principle on which depends the future safety of individuals or states. A stand taken at the onset of injustice, very often interrupts its progress, and brings the matter back to its original condition. The love of peace may as easily grow into a fault as the spirit of war; yet the former is an amiable weakness, that like charity has its apology with it, and covers a multitude of errors. But the first, unfairly encouraged by an unholy desire for trade, was the great cause of the present war. When the *first* American was impressed, if by a special mission to the court of *St. James'* we had demanded his release, giving to the case all the consequence that the *principle* involved entitled it to, it now seems the unanimous opinion that that horrible practice (in every essential quality the same as *Algerine* slavery) would not have been persevered in. And so with the orders in council, which assumed the right to regulate our trade in all cases whatsoever, the coasting business excepted. If an end to these had been *demanded* instead of *negociated* for, all had been well, and the present war avoided.

How powerfully do these remarks impress upon us the force of *Franklin's* celebrated saying, "*that he who gives up essential liberty to purchase a temporary safety, deserves neither liberty nor safety!*" But the spirit of trade—a spirit that has in country and regards no rights, crept in, and led us *step by step* to the last stage of debasement—to the very threshhold of the dungeon that tyranny had digged to immure our independence. *Here* to resist, or give up all hope of relief, were the only alternatives presented. Happily, we chose the former; and we venture to predict (from the facts that every moment accumulate to strengthen the opinion, in the opening resources of our country) that he who lives to see the end of this war, (and we believe it will not last long) will see the United States in a condition of prosperity and happiness that the most visionary theorist in government ever supposed was attainable. Among ourselves—in the production of the raw material in some places and its manufacture in others, will spring up a *home trade* that shall bind the states to each other, and slay the many headed monster that has distracted the people, and divided them into parties *almost* as hostile as two nations at war; to the great dereliction of *principle*, with a denial of the enjoyments of social intercourse, and that confidence and good will that should exist in one people.

I know my disposition is sanguine; but I apprehend the time is at hand, when the party designations of "republicans" and "federalists" will fall into disuse, and the people have one proud *American* feeling. "A consummation devoutly to be wished."

Too great a portion of every community measures the merits of a cause by the success that attends it. And the late successes of the army and navy, with the hope of a speedy accomplishment of all we expected of them, has, no doubt, had great influence with many. It is a happy combination of circumstances when those who *deserve* success *command* it.

As we never despaired of the republic, we may be permitted to rejoice in the prospects of the times; leading to all we ever desired, in an honest and honorable peace with *Great Britain*. If we had been united, the war never had been; if we are united, it will soon end.

## North Western Indians.

By the despatches from generals *Harrison* and *M'Arthur*, and the natural sequence of events on the north western frontier, we have every reason to expect that the *war of the allies* is finished; the *existence* of the Indians, in the most significant meaning of the word, depending upon the mercy of the United States. *Justice* would say to the deluded creatures, *you have murdered in the summer, starve in the winter.* You have submitted only through necessity. With the fall of your *friends*, have perished your resources for food and clothing—had *they* been fortunate, *you* would yet have scalped. Away!—as "you have made your bed so you must lie." We have nothing to fear from you; we cannot depend upon you; you have planned your own annihilation—look to yourselves, and so be it." This is the language of a just resentment; and on the instant, we felt willing they should be refused that protection their wants compelled them to ask; but *humanity* interposed, and demanded that the race should be spared, if for no other purpose than to remain a monument of the humanity of the republic, whose policy and

‖ "*Once British always British!*"—the general sentiment of these "*friends of the navy.*"

¶The *Boston* "friends of the navy"—papers, are filled with *apologies* for the vote of a sword to com. *Perry.*

principle it is to spare the vanquished, whether white or red savages.

In seaman's phrase, these poor people are completely *"on their beam ends."* The savage, at best, but scantily provides for his winter's subsistence—but these have been so fully engaged in the business of the *Christian Englishmen*, that time and opportunity was not allowed them to make preparation for the season that approaches; and they must be fed and clothed by the United States, or perish.

As it possible, they never again will have the means of committing such murders and assassinations as *England* dictated to them, occasionally, from the year 1776 to this time—as their fidelity may be secured by the hostages they must give as well as by their dependent condition, and as they may be useful to *alarm* the enemy with those horrors he actually *inflicted* upon us, philanthropy, as well as policy, approves the measures that general *M'Arthur* has pursued.

If the success attends our arms that present prospects lead us to calculate upon, a very considerable number of them may be brought down the lakes to assist in the operations against *Lower Canada*, and the provinces of *Nova-Scotia* and *New-Brunswick*, during the winter. Not that they should be let loose to kill and destroy; but, under proper regulations, assist the regular forces in harrassing the enemy to a successful termination of the contest in arms, as to land operations. If the conquest of *Quebec* and *Halifax* should not be resolved upon, or cannot be accomplished, these indians will be of great use in rendering the possession of no value to the enemy, an object of considerable importance; and they will do this immediately. Besides, as we are fully satisfied that they *can be* restrained, their employment will be worth the cost of their maintenance, by the seal that their conduct shall give to the *barbarity of Englishmen*. It will be extremely useful to establish, by practice, the falsity of the enemy's plea respecting this people; that the present generation—as well as posterity, may duly esteem the character of the enemy, whose powerful influence in the United States we desire may be destroyed; for it is fatal to happiness and the cause of continual feuds.

"They have agreed (says *M'Arthur*) to take hold of the same tomahawk with us; and strike all who are or may be the enemies of the United States, British or indians." [How like *British* faith is this agreement, by turns fighting against or making peace with any people or any power, *"legitimate"* or illegitimate, that may serve the purposes of the moment!—] And with such guarantees for their good behavior as our good fortune and their necessities have put into our hands, we again say, let them be spared; and employed against those who put the tomahawk into their hands, provided they use it only to defeat *men in arms*. If otherwise, they will be punished and discharged, for our own honor; though the *British* and *"innocent Canadians"* would hardly dare to complain if they scalped their women and children.

# Events of the War.

## MISCELLANEOUS.

ARMY ADDRESSES. The following excellent remarks are from the *Kentucky Gazette*:

"It has lately become very fashionable in the American army, for the officers every now and then to meet together and address some fulsome praise to the world concerning the *commanding general*. The impropriety of this conduct must be evident to every military man.

A subaltern officer is prohibited by military law from censuring his superior. If then he cannot express his opinions freely so as to censure on suitable occasions—how is he competent to eulogize his commanding officer?

Suppose an officer refuses to sign one of these addresses—if the general be ambitious (as is frequently the case) he may report the non-subscribing officer to the secretary of war, as unfit for a military situation and have him stricken from the rolls.

It is said that sir *James Craig*, whilst governor-general of Canada, issued an order to the army, *that inasmuch as no subaltern officer has a right to criticise on the conduct of his superiors, neither should he be permitted to compliment him by public addresses*. This afterwards became a standing order in the whole British army.

Let the American government take advantage of the practice of other nations."

COCKBURN'S EXPEDITION. The following are extracts from the journal kept on board his late B. M. schooner High-Flyer, captured by com. *Rodgers*, furnished for publication to the editor of the *Providence Patriot*, by an officer of the frigate President.

☞ The High-Flyer was one of the "light squadron" mentioned by *Cockburn* in his despatch to admiral *Warren*, see page 110.

"Wednesday, April 28th—Moderate breezes and fine weather—at day light up anchor and anchored off Spesutia Island—P. M. fine weather—at 5 weighed and took the boats of the squadron in tow, with an expedition to attack *Frenchtown*, situated on the Elk river—at 12 anchored.

Thursday, April 29th—Light winds and fine—at 1 the expedition shoved off, weighed and followed up—at 3 got on shore, ran our anchor out and hauled her off—employed working up the river to cover the boats—at 8 anchored as near the town as the depth of water would permit—at 1 P. M. the expedition returned after having effected its purpose: carried a 5 gun battery and DESTROYED THE TOWN—weighed and stood down the river—at 4 anchored at the mouth of the river; landed the marines, and *got a stock of bullocks off*.

Friday, April 30th—moderate and fair weather—at daylight weighed and stood down to Spesutia Island—employed during the day *taking bullocks down to the Maidstone* (frigate.)

Saturday, May 1st—Moderate and fine weather—employed in *carrying bullocks down to the Maidstone*—P. M. fine weather, employed as above.

Monday, May 3d—Weighed and stood into *Havre de Grace*, a town in the mouth of Susquehannah river, to support the boats destined on the attack, under rear admiral *Cockburn*—at 4 anchored as near the town as depth of water would allow—at day light the boats carried the fort of 4 guns and town under a heavy fire of cannon and musquetry: *burnt the town*, and proceeded to destroy a cannon foundery on the adjacent coast, which was attended with every success: 50 pieces of cannon, and the foundery totally destroyed—at sunset *boats returned with a* GOOD SHARE OF PLUNDER—midnight fresh breezes and rainy weather.

Wednesday, 5th May—Moderate breezes and fine weather; employed drying the sails and cleaning the vessel—at sunset weighed and stood up the Sassafras river, to protect the boats on the attack of Georgetown and Fredericktown—midnight got on shore, and was not able to effect getting her off until next tide.

Thursday, 6th May—Light winds and fine weather—at 4 the expedition assembled alongside, and then

moved off for the attack of *Frederick* and *Georgetowns*—9 got the vessel afloat and run up the river as far as possible—P. M. fine weather—at 2 the boats returned, after a TOTAL DESTRUCTION OF THE TWO TOWNS—Weighed and made sail out of the river; Dolphin and Lynx in company—at 5 anchored alongside the Maidstone."

It is stated that SAMUEL YORK, taken in arms against his country on board the British privateer Liverpool Packet, has been tried and cleared in *Exeter*, N. H.

The "Maryland Republican," printed at *Annapolis*, gives the names of *eighteen* citizens of this state, who having been enslaved by the *European Algerines*, had been *released*, and are detained as *prisoners* on board a single prison-ship, the St. Antonia!—"THE SHIELD OF AFFLICTED HUMANITY."

We are told (says the *Albany Argus*) that the British are equipping a ship of war of 144 guns.—What is that for, seeing that they have not sailors to man the vessels they already have? We know of no other object than that of challenging commodore Rodgers, in the President frigate, to single combat.

*It is said*, that several *curious* persons intruded themselves upon the army commanded by *Hampton*, merely to know its force and destination, which had been kept so secret. The general, to gratify this *thirst for information*, freely told them they should *go along with him and see every thing*; and so detained them.

Commodore Rodgers (says a Providence paper) haunts the imaginations of the British officers.—When the commander of the High Flyer received his last instructions previous to his capture, com. Oliver said to him—"take care you are not outwitted by the d——d yankees! and especially be careful of *that* commodore Rodgers, if he comes across you, he will hoist you upon his jib-boom, and carry you into Boston!"

The *First Baltimore Volunteers*, who lately returned from *Canada* with the thanks of their country, for a faithful duty of 12 months duration, have reorganized themselves, and are attached to one of the militia regiments for the defence of their city. The greater part of these men are industrious mechanics; and, we trust, they will be sought out and encouraged by a discerning public, as their avocations may be required. Mr. *Thomas Warner*, originally ensign of this company, has been appointed captain.

*Harrison's victory* has been celebrated at *Washington*, *Alexandria*, *Wilmington* (Del.) *Philadelphia*, and *New-York* by brilliant illuminations. In the two latter, by recommendation of the constituted authorities.

LIEUTENANT HUTCHINSON, who was taken in the High Flyer, by com. *Rodgers*, is one of the wretches who rifled that gallant hero's house at Havre de Grace; and has now in his possession a *sword* which he stole from him. This sword has been recognized by com. *Rodgers*, as well as by his steward. Yet this lieutenant has been paroled, and is now at liberty at Providence. *Nat. Adv.*

## MILITARY.

We are much in the dark as to the movements on the northern frontier. It is stated that on the 9th inst. all the heavy ordnance and baggage was embarked in boats and scows at *Sacketts Harbor*, for a secret expedition.

There was a considerable fall of snow at *Sacketts Harbor* on the 10th.

Brigadier-general *Izard* has joined the army under general *Hampton*.

The army that entered the *Creek* country from Georgia, was near fort Hawkins about the 20th of September. It consisted of two regiments of infantry (United States' quota,) one batallion volunteer infantry, one company regular troops and six troops cavalry,—the regiments are commanded by colonel Jenkins of Greene county, and colonel Harris of Clarke—the whole consisting of 3,400 men.

A letter from the *Choctaw* agency, dated September 19, says—"The Choctaw nation are warmly attached to us, and have declared war against the Creeks."

I is also stated that the *Cherokees* have embodied 700 of their warriors, who are fully equipped, to act with us. A considerable number of hardy volunteers from *Tennessee* were on the Creek lands by the 20th ult. and it was thought they would amount to 5000 men by the 1st inst. The fate of the murderers is sealed; and their extermination will afford another proof of the folly of listening to merciless and unfeeling *Englishmen*.

That admirable partizan officer, colonel (late major) *Chapin*, of Now-York, with a body of volunteers and Indians, had a pretty severe brush with the British picquets near fort *George*, on the 6th inst. and succeeded in driving them in with loss.

## HARRISON'S VICTORY.

*Extract of a letter from gen. Harrison to the Department of War.*

Head-quarters, Sandwich, U. C, 30th Sept. 1813.

SIR—Gen. Proctor has with him 475 regulars of the 41st and Newfoundland regiments; 60 of the 10th regt. of veterans; 45 dragoons; and from 600 to 1000 Indians. Some deserters who left him the night before last, give the latter as the number.—The citizens of Detroit suppose the former to be correct.

The Ottawas and Chippewas have withdrawn from the British, and have sent in three of their warriors to beg for peace, promising to agree to any terms that I shall prescribe. I have agreed to receive them upon condition of their giving hostages for their fidelity, and immediately joining us with all their warriors. The Wyandots, Miamies, and the band of Delawares, which had joined the enemy, are also desirous to be received upon the same terms.

The celebrated chief Main Pock is at the head of the hostile band on the Detroit side of the Streight. Tecumseh heads that which remains with the British. The inhabitants of Detroit who were in daily communication with them, make the former from 1000 to 1200. Their object in dividing their force was to make a night attack upon the part of the army which crossed over to Detroit, or that which remained on this side, by a junction of their force some miles above.

A detachment of the army, and some of the vessels of war, will set out for the reduction of Mackinac and St. Joseph's, in a few days.

I have the honor to be, with great respect, sir, your obedient servant,

WM. H. HARRISON.

*Hon. John Armstrong, Sec'ry of War.*

*Extract of a letter from gen. M'Arthur to the Secretary of War.*

DETROIT, Oct 6, 1813.

You have no doubt been advised by the commanding general, that Malden and this place were abandoned by the enemy previous to the arrival of our army, and that all the public buildings, &c. were destroyed. On our arrival at Sandwich, my brigade was ordered across the river to disperse some Indians, who were pillaging the town, and to take possession of this place. Information was received that several thousand Indians had retired a small distance into the woods, with intructions to attack gen. Harrison's army on its passage, for the purpose of re-

tarding its progress, consequently my brigade was left to garrison this place.

Since gen. Harrison's departure, five nations of Indians, viz. the Ottoways, Chippeways, Pottewattemies, Miamies and Kickapoos, who were but a few miles back, have come in for peace, and I have agreed that hostilities should cease for the present on the following conditions: "They have agreed to take hold of the same tomahawk with us, and to strike all who are, or may be enemies to the United States, whether British or Indians." They are to bring in a number of their women and children, and leave them as hostages whilst they accompany us to war. Some of them have already brought in their women, and are drawing rations.

I have just received a note from gen. Harrison, advising that he had last evening overtaken gen. Proctor's force, and had gained a complete victory; that all the principal officers, gen. Proctor excepted, were in his possession, which no doubt ends the war in this quarter. I have the honor, &c.

DUNCAN M'ARTHUR.

*Brig. Gen. U. S. Army.*

*Copy of a letter from gen. Harrison to the Department of War.*

Head-quarters, near Moravian Town, on the River Thames, 80 miles from Detroit, 5th October, 1813.

Sir—I have the honor to inform you, that by the blessing of Providence, the army under my command has this evening obtained a complete victory over the combined Indian and British forces under the command of general Proctor. I believe that nearly the whole of the enemy's regulars are taken or killed. Amongst the former are all the superior officers excepting gen. Proctor. My mounted men are now in pursuit of him. Our loss is very trifling. The brave col. R. M. Johnson is the only officer whom I have heard of that is wounded, he badly, but I hope not dangerously.

I have the honor to be, with great respect, sir, your obedient humble servant,

WM. H. HARRISON.

*The hon. John Armstrong, Sec'ry at War.*

*Copy of a letter from major-general Harrison to the secretary of war.*

Head-quarters, Detroit, 9th Oct. 1813.

Sir—In my letter from Sandwich of the 30th ultimo, I did myself the honor to inform you, that I was preparing to pursue the enemy the following day.—From various causes, however, I was unable to put the troops in motion until the morning of the 2nd inst. and then to take with me only about one hundred and forty of the regular troops, Johnson's mounted regiment and such of governor Shelby's volunteers as were fit for a rapid march, the whole amounting to about three thousand five hundred men. To gen. M'Arthur (with about 700 effectives) the protecting of this place and the sick was committed. Gen. Cass's brigade, and the corps of lieut. col. Ball were left at Sandwich, with orders to follow me as soon as the men received their knapsacks and blankets, which had been left on an island in lake Erie.

The unavoidable delay at Sandwich was attended with no disadvantage to us. General Proctor had posted himself at Dalson's on the right bank of the Thames (or Trench) fifty six miles from this place, where I was informed he intended to fortify and wait to receive me. He must have believed, however, that I had no disposition to follow him, or that he had secured my continuance here, by the reports that were circulated that the Indians would attack and destroy this place upon the advance of the army; as he neglected to commence the breaking up the bridges until the night of the 2nd inst. On that night our army reached the river, which is twenty-five miles from Sandwich and is one of 4 streams crossing our route, over all of which are bridges, and being deep and muddy, are unfordable for a considerable distance into the country—the bridge here was found entire, and in the morning I proceeded with Johnson's regiment to save, if possible, the others. At the second bridge over a branch of the river Thames, we were fortunate enough to capture a lieutenant of dragoons and eleven privates, who had been sent by gen. Proctor to destroy them. From the prisoners I learned that the third bridge was broken up and that the enemy had no certain information of our advance. The bridge having been imperfectly destroyed, was soon repaired and the army encamped at Drake's farm, four miles below Dalson's.

The river Thames, along the banks of which our route lay, is a fine deep stream, navigable for vessels of considerable burthen, after the passage of the bar at its mouth over which, there is six and a half feet water.

The baggage of the army was brought from Detroit in boats protected by three gun-boats, which com. Perry had furnished for the purpose, as well as to cover the passage of the army over the Thames itself, or the mouths of its tributary streams; the banks being low and the country generally open (prairies) as high as Dalson's, these vessels were well calculated for that purpose. Above Dalson's however, the character of the river and adjacent country is considerably changed.——The former, though still deep, is very narrow and its banks high and woody. The commodore and myself therefore agreed upon the propriety of leaving the boats under a guard of one hundred and fifty infantry, and I determined to trust to fortune and the bravery of my troops to effect the passage of the river. Below a place called Chatham and 4 miles above Dalson's is the third unfordable branch of the Thames; the bridge over its mouth had been taken up by the Indians, as well as that at M'Gregor's Mills, one mile above—several hundred of the Indians remained to dispute our passage, and upon the arrival of the advanced guard, commenced a heavy fire from the opposite bank of the creek as well as that of the river. Believing that the whole force of the enemy was there, I halted the army, formed in order of battle, and brought up our two six pounders to cover the party that were ordered to repair the bridge—a few shot from those pieces, soon drove off the Indians and enabled us, in two hours, to repair the bridge and cross the troops. Colonel Johnson's mounted regiment being upon the right of the army, had seized the remains of the bridge at the mills under a heavy fire from the Indians. Our loss upon this occasion, was two killed and three or four wounded, that of the enemy was ascertained to be considerably greater. A house near the bridge containing a very considerable number of muskets had been set on fire—but it was extinguished by our troops and the arms saved. At the first farm above the bridge, we found one of the enemy's vessels on fire, loaded with arms and ordnance stores, and learned that they were a few miles ahead of us, still on the right bank of the river with the great body of the Indians. At Bowles' farm, four miles from the bridge we halted for the night, found two other vessels and a large distillery filled with ordnance and other valuable stores to an immense amount in flames—it was impossible to put out the fire——two twenty-four pounders with their carriages were taken and a large quantity of ball and shells of various sizes. The army was put in motion early in the morning of the 5th, I pushed on in advance with the mounted regiment and requested gov. Shelby to follow as expe-

diffiously as possible with the infantry, the governor's zeal and that of his men enabled them to keep up with the cavalry, and, by 9 o'clock, we were at Arnold's Mills having taken in the course of the morning two gun-boats and several batteaux loaded with provisions and ammunition.

A rapid at the river at Arnold's mills affords the only fording to be met with for a considerable distance, but, upon examination, it was found too deep for the infantry. Having, however, fortunately taken two or three boats and some Indian canoes on the spot, and obliging the horsemen to take a foot-man behind each, the whole were safely crossed by 12 o'clock. Eight miles from the crossing we passed a farm, where a part of the British troops had encamped the night before, under the command of col. Warburton. The detachment with gen. Proctor had arrived the day before at the Moravian towns, 4 miles higher up. Being now certainly near the enemy, I directed the advance of Johnson's regiment to accelerate their march for the purpose of procuring intelligence. The officer commanding it, in a short time, sent to inform me, that his progress was stopped by the enemy, who were formed across our line of march. One of the enemy's waggoners being also taken prisoner, from the information received from him, and my own observation, assisted by some of my officers, I soon ascertained enough of their position and order of battle, to determine that, which it was proper for me to adopt.

I have the honor herewith to enclose you my general order, of the 27th ult. prescribing the order of march and of battle when the whole army should act together. But as the number and description of the troops had been essentially changed, since the issuing of the order, it became necessary to make a corresponding alteration in their disposition. From the place where our army was last halted, to the Moravian towns, a distance of about three and a half miles, the road passes through a beach forest without any clearing, and for the first two miles near to the bank of the river. At from two to three hundred yards from the river a swamp extends parallel to it, throughout the whole distance. The intermediate ground is dry, and although the trees are tolerably thick, it is in many places clear of underbrush.—Across this strip of land, its left *appayed* upon the river, supported by artillery placed in the wood, their right in the swamp covered by the whole of their Indian force, the British troops were drawn up.

The troops at my disposal consisted of about one hundred and twenty regulars of the 27th regiment, five brigades of Kentucky volunteer militia infantry, under his excellency gov. Shelby, averaging less than five hundred men, and col. Johnson's regiment of mounted infantry, making in the whole an aggregate something above three thousand. No disposition of an army, opposed to an Indian force can be safe unless it is secured on the flanks and in the rear.—I had therefore no difficulty in arranging the infantry conformably to my general order of battle. General Trotter's brigade of 500 men, formed the front line, his right upon the road and his left upon the swamp. General King's brigade as a second line, 150 yards in the rear of Trotter's and Chiles's brigade as a corps of reserve in the rear of it. These three brigades formed the command of major-general Henry; the whole of gen. Desha's division, consisting of two brigades, were formed *en potence* upon the left of Trotter.

Whilst I was engaged in forming the infantry, I had directed col. Johnson's regiment, which was still in front, to be formed in two lines opposite to the enemy, and, upon the advance of the infantry, to take ground to the left and forming upon that flank to endeavor to turn the right of the Indians. A moment's reflection, however, convinced me that from the thickness of the woods and swampiness of the ground, they would be unable to do any thing on horseback, and there was no time to dismount them and place their horses in security; I therefore determined to refuse my left to the Indians, and to break the British lines at once by a charge of the mounted infantry; the measure was not sanctioned by any thing that I had seen or heard of, but I was fully convinced that it would succeed. The American backwoodsmen ride better in the woods than any other people. A musket or rifle is no impediment to them, being accustomed to carry them on horseback from their earliest youth. I was persuaded too that the enemy would be quite unprepared for the shock and that they could not resist it. Conformly to this idea, I directed the regiment to be drawn up in close column, with its right at the distance of fifty yards from the road, (that it might be in some measure protected by the trees from the artillery) its left upon the swamp, and to charge at full speed as soon as the enemy delivered their fire. The few regular troops of the 27th regt. under their col. (Paul) occupied, in column of sections of four, the small space between the road and the river, for the purpose of seizing the enemy's artillery, and some ten or twelve friendly Indians were directed to move under the bank. The *crotchet* formed by the front line and gen. Desha's division was an important point. At that place, the venerable governor of Kentucky was posted, who at the age of sixty-six preserves all the vigor of youth, the ardent zeal which distinguished him in the revolutionary war, and the undaunted bravery which he manifested at King's Mountain. With my aids-de-camp, the acting assist. adj. gen. capt. Butler, my gallant friend com. Perry who did me the honor to serve as my volunteer aid-de-camp, and brig. gen. Cass, who having no command tendered me his assistance. I placed myself at the head of the front line of infantry, to direct the movements of the cavalry and give them the necessary support. The army had moved on in this order but a short distance, when the mounted men received the fire of the British line and were ordered to charge; the horses in the front of the column recoiled from the fire; another was given by the enemy, and our column, at length getting in motion, broke through the enemy with irresistible force. In one minute, the contest in front was over; the British officers, seeing no hopes of reducing their disordered ranks to order, and our mounted men wheeling upon them and pouring in a destructive fire, immediately surrendered. It is certain that three only of our troops were wounded in this charge. Upon the left, however, the contest was more severe with the Indians. Col. Johnson, who commanded on that flank of his regiment, received a most galling fire from them, which was returned with great effect. The Indians still further to the right advanced and fell in with our front line of infantry, near its junction with Desha's division, and for a moment made an impression upon it. His excellency gov. Shelby however brought up a regiment to its support, and the enemy receiving a severe fire in front, and a part of Johnson's regiment having gained their rear, retreated with precipitation. Their loss was very considerable in the action, and many were killed in their retreat.

I can give no satisfactory information of the number of indians that were in the action, but they must have been considerably upwards of one thousand. From the documents in my possession, (general Proctor's official letters, all of which were taken) and from the information of respectable inhabitants

of this territory, the indians kept in pay by the British were much more numerous than has been generally supposed. In a letter to general de Rottenburg of the 27th instant, general Proctor speaks of having prevailed upon most of the indians to accompany him. Of these it is certain that fifty or sixty Wyandot warriors abandoned him.*

The number of our troops was certainly greater than that of the enemy, but when it is recollected, that they had chosen a position that effectually secured their flank, which it was impossible for us to turn, and that we could not present to them a line more extended than their own, it will not be considered arrogant to claim for my troops the palm of superior bravery.

In communicating to the president through you, sir, my opinion of the conduct of the officers who served under my command, I am at a loss how to mention that of governor Shelby, being convinced that no eulogium of mine can reach his merit. The governor of an independent state, greatly my superior in years, in experience and in military character, he placed himself under my command, and was not more remarkable for his zeal and activity, than for the promptitude and cheerfulness with which he obeyed my orders. The major-generals Henry and Desha, and the brigadiers Allen, Caldwell, King, Chiles and Trotter, all of the Kentucky volunteers, manifested great zeal and activity. Of governor Shelby's staff, his adjutant-general, colonel M'Dowell, and his quarter-master general, colonel Walker, rendered great service, as did his aids-de-camp, general Adair and majors Barry and Crittenden. The military skill of the former was of great service to us, and the activity of the two latter gentlemen could not be surpassed. Illness deprived me of the talents of my adjutant-general, colonel Gaines, who was left at Sandwich. His duties were however ably performed by the acting assistant adjutant general, captain Butler. My aids-de-camp, lieutenant O'Fallon and captain Todd, of the line, and my volunteer aids, John Speed Smith and John Chambers, esq. have rendered me the most important service from the opening of the campaign. I have already stated that general Cass and commodore Perry assisted me in forming the troops for action. The former is an officer of the highest merit and the appearance of the brave commodore cheered and animated every breast.

It would be useless, sir, after stating the circumstances of the action, to pass encomiums upon col. Johnson and his regiment. Veterans could not have manifested more firmness. The colonel's numerous wounds prove that he was in the post of danger. Lieutenant-colonel James Johnson and the majors Payne and Thompson were equally active, though more fortunate. Major Wood of the engineers, already distinguished by his conduct at fort Meigs, attended the army with two six pounders. Having no use for them in the action, he joined in the pursuit of the enemy and with major Payne of the mounted regiment, two of my aids-de-camp, Todd and Chambers, and three privates, continued it for several miles after the rest of the troops had halted, and made many prisoners.

I left the army before an official return of the prisoners, or that of the killed and wounded, was made out. It was however ascertained that the former amounts to six hundred and one regulars, including twenty-five officers. Our loss is seven killed and twenty-two wounded, five of which have since died. Of the British troops twelve were killed and twenty-two wounded. The indians suffered most—thirty-three of them having been found upon the ground, besides those killed on the retreat.

On the day of the action, six pieces of brass artillery were taken, and two iron twenty-four pounders the day before. Several others were discovered in the river and can be easily procured. Of the brass pieces, three are the trophies of our revolutionary war that were taken at Saratoga and York, and surrendered by general Hull. The number of small arms taken by us and destroyed by the enemy must amount to upwards of five thousand; most of them had been ours and taken by the enemy at the surrender of Detroit, at the river Raisin and colonel Dudley's defeat. I believe that the enemy retain no other military trophy of their victories than the standard of the 4th regiment—They were not magnanimous enough to bring that of the 41st regiment into the field, or it would have been taken.

You have been informed, sir, of the conduct of the troops under my commaed in action; it gives me great pleasure to inform you, that they merit also the approbation of their country for their conduct, in submitting to the greatest privations with the utmost cheerfulness.

The infantry were entirely without tents, and for several days, the whole army subsisted upon fresh beef without bread or salt.

I have the honor to be, &c.

WILLIAM H. HARRISON.

*General John Armstrong, secretary of war.*

P. S. General Proctor escaped by the fleetness of his horses, escorted by forty dragoons and a number of mounted indians.

GENERAL ORDERS—OF DEBARKATION, OF MARCH, AND OF BATTLE.

*Head-quarters on board the U. S. schooner Ariel, September 27th,* 1813.

As it is the intention of the general to land the army on the enemy's coast, the following will be the order of debarkation, of march and of battle.

The right wing of the army will be composed of the Kentucky volunteers, under the command of his excellency gov. Shelby, acting as major-general.—The left wing, of the light corps of lieut. col. Ball and the brigades of general M'Arthur and Cass. This arrangement is made with a view to the localities of the ground upon which the troops are to act, and the composition of the enemy's force, and is calculated in marching up the lake or strait to place our regular troops in the open ground on the lake, where they will probably be opposed by the British regulars, and the Kentucky volunteers in the woods, which it is presumed will be occupied by the enemy's militia and indians. When the signal is given for putting to the shore, the corps of lieutenant colonel Ball will precede the left wing; the regiment of volunteer riflemen the right wing: these corps will land with the utmost celerity, consistent with the preservation of good order, and as soon as landed will seize the most favorable position for annoying the enemy and covering the disembarkation of the troops of the line. Gen. Cass's brigade will follow col. Ball's corps, and gen. Calme's the volunteer riflemen. The regiments will land and form in succession upon those which precede them. The right wing, with its left in front, displaying to the left. The brigades of generals King, Allen and Caldwell, will form successively to the right of gen. Calme's, gen. M'Arthur's and Childs' brigades will form the reserve. The general will command in person the brigades of gen. Cass and Calmes, assist-

*A British officer of high rank assured one of my aids-de-camp, that on the day of our landing, general Proctor had, at his disposal, upwards of three thousand indian warriors, but asserted that the greatest part had left him previous to the action.

ed by major-general Henry. His excellency governor Shelby will have the immediate command of the three brigades on the right, assisted by major-general Desha. As soon as the troops are disembarked, the boats are to be immediately sent back to the fleet. It will be observed that the order of landing here prescribed, is somewhat that of direct eschellons deployed into line upon the advanced corps of the right and left wing. It is the intention of the general, however, that all the troops which are provided with boats should land in as quick succession as possible; and the general officers commanding towards the extremities of the line are authorised to deviate from the arrangement to counteract any movement of the enemy, by landing any part of their commands, previous to the formation of the corps, which is herein directed to precede them. The corps of lieut. col. Ball and the volunteer rifle regiment will maintain the position they occupy on landing until the troops of the line are formed to support them; they will then retire through the intervals of the line, or to the flanks, and form in the rear of the line.

A detachment of artillery, with a six, four and three pounder and howitzer, will land with the advanced light corps; the rest of the artillery will be held in reserve and landed at such points as maj. Wood may direct.

The point of landing for the reserve, under brigadier-general M'Arthur, cannot now be designated; it will be made to support any point of the line which may require aid, or be formed on the flanks as circumstances may render necessary. The arrangement for landing the troops will be made entirely under the direction of an officer of the navy, whom commodore Perry has been so obliging as to offer for that purpose. The debarkation of the troops will be covered by the cannon of the vessels. The troops being landed and the enemy driven off, or not opposing the landing, the army will change its front to the left, and form in order of battle in the following manner—The two brigades of regular troops and two of the volunteers to be formed in two lines at right angles to the shore of the lake. General M'Arthur's brigade and Calmes' to form the front of the line, and Cass and Childs' the second line; the regular troops still on the left; that flank of both lines resting on the shore, the distance between the two lines will be three hundred yards. The remaining three brigades of volunteers will be drawn up in a single line of two ranks, at right angles to the line of march, its head upon the right of the front line forming a crotchet (*enpotence*) with that line and extending beyond the second line. The corps of lieutenant-colonel Ball will form the advance of the left wing at the distance of three hundred yards, the regiment of rifle volunteers the advance of the right wing at the same distance.

Some pieces of light artillery will be placed in the road leading up the lake, and at such other points as major Wood may direct. When the order is given for marching, the first and second lines will advance by files from the heads of companies; in other words, these two lines will form two columns, marching by their flanks by companies at entire distances. The three brigades on the right flank will be faced to the left and marched forward—the head of this column still forming en potence with the front line. It is probable that the two brigades of the front line will extend from the lake, some distance into the woods, on the right flank, and it is desirable it should be so—but should it be otherwise, and the crotchet or angle be at any time on the open ground, his excellency, governor Shelby, will immediately prolong the front line to the right by adding to it as many companies of the leading brigade of the flank column as will bring the angle and consequently the flank column itself completely within the woods. It is to be presumed that the enemy will make their attack upon the army on its march, that their regular troops will form their right upon the lake, their militia occupy the ground between the regulars and the woods, and the indians the woods. The formation herein prescribed is intended to resist an arrangement of this kind. Should the general conjecture on that subject prove correct, as it must be evident that the right of the enemy cannot be turned, and on that wing his best troops must be placed, it will be proper to refuse him our left, and direct our principal effort to uncover the left flank of his regulars by driving off his militia. In the event here supposed, therefore, it will be proper to bring up a part or the whole of general Cass's brigade, to assist the charge made by general Calmes, or that the former should change positions with the brigade of volunteers in the second line.—Should the general think it safe to order the whole of Cass's brigade to the right, without replacing it with another, general Cass will march it, the right formed in oblique eschellons of companies. It will be the business of general M'Arthur in the event of his wing being refused to watch the motion of the enemy (and with the assistance of the artillery) prevent his front line at least from interrupting the progress of our right. Should the enemy's militia be defeated, the brigade of ours in advance will immediately wheel upon the flank of the British regulars, and general M'Arthur will advance to attack them in front. In the mean time, his excellency governor Shelby can use the brigade in reserve of the second line to prolong the flank line from its front or left or to reinforce any weak part of the line. In all cases where troops in advance are obliged to retire through those who are advancing to support them, it will be done by companies in files, which will retire through the intervals of the advancing line, and will immediately form in the rear. The light troops will be particularly governed by this direction.

The disposition of the troops on the right flank is such as the commanding general thinks best calculated to resist an attack from indians which is only to be expected from that quarter. His excellency governor Shelby will, however, use his discretion in making any alteration which his experience and judgment may dictate. Lieutenant-colonel Ball, lieutenant-colonel Simral, and the general officers commanding on the flank line, are to send out small detachments in advance of the two former corps, and to the flank of the latter. Should they discover the enemy in face immediately notice will be sent to the lines. The general commanding on the spot will immediately order the signals for forming in order of battle which will be the beat *"to arms."*

All signals will be immediately repeated by all the drums of the line—the signal for the whole to halt is the retreat. Drums will be distributed along the heads of companies, and the taps occasionally given to regulate their march.

Lieutenant-colonels Ball and Simrall are to keep the general constantly advised of the discoveries made by the advanced parties. Where it shall become necessary for the corps of Ball and Simrall to retire, they will form on the flank or in the rear of M'Arthur's and Calmes' brigades, and receive the orders of the brigadiers respectively.

Brigadier-general Cass will designate such officers as he may deem proper, to assist captain Elliott, of the navy, in the arrangement of the boats and the

debarkation of the troops. The *general* will be the signal for the whole to move. By command,

(Signed) EDMUND P. GAINES,
Col. Adj. Gen.

*Truly copied from the original.*
ROBERT BUTLER, *A. A. Adj. Gen.*

*Extract of a letter from brigadier-general M'Clure, to his excellency governor Tompkins, dated*
"Fort George, half past 5 o'clock, P. M.
6th October, 1813.

"Since writing the above we have commenced offensive operations against the enemy. About 500 militia volunteers and about 150 Indians, commanded by col. Chapin, attacked the picket guard of the enemy about about a mile and an half from Fort George, and drove them in upon the main body, when the enemy opened a fire from several field pieces. Our men retired in good order into the fort, with the loss of one man killed and two or three wounded. The enemy's loss was seven killed, many wounded and 4 prisoners. In a short time the enemy appeared in considerable force within 500 yards of the fort, at the edge of the woods; Chapin again sallied out with about 300 men and some Indians—commenced a brisk fire on the whole of the enemy's line and drove them half a mile; but perceiving by the movements of the enemy that they would outflank us, I ordered 200 to reinforce him, and in two detachments to attack the enemy's flanks. We succeeded in diving the enemy into the woods, when night coming on put an end to the conflict. Our loss was trifling; I have not ascertained that of the enemy. Colonel Chapin is a brave man. Every officer and soldier did his duty."

*Andrew Ellicott*, Esq. of Lancaster, has been appointed professor of mathematics in the military academy of the U. S. at West Point.

*Burlington, (Vermont) Oct.* 15.—On the evening of the 11th instant, a detachment of the rifle corps, consisting of about 130 men, under the command of colonel Isaac Clark, embarked on board of batteaux at Chazy, N. Y. and proceeded to Caldwell's Manner, in the province of Lower Canada, and landed at the house of a Mr. Cook, where there was deposited about three thousand dollars worth of property recently smuggled from the states, consisting of leather, shoes, &c; after taking and putting on board of the batteaux the above-mentioned property, they proceeded from thence and landed at Rock river, near the Canada lines, about break of day. The troops immediately formed and proceeded towards St. Armands, the expedition was so conducted that the enemy was not apprized of their approach, until the riflemen were within fifty rods of the British encampment; on hearing alarm guns fired, and the British drums beat to arms, the riflemen advanced precipitately upon them, so that they had not time even to form their troops, they however attempted to make a stand. Major Powell who commanded the British forces was immediately taken prisoner. The enemy commenced a fire upon our troops from behind houses, fences, &c.; a column advanced in front, but they were all soon compelled to lay down their arms. Several made their escape and secreted themselves in cellars, chambers, &c.

The loss on the side of the enemy is not exactly known; three were killed and a considerable number wounded; two were wounded of the rifle corps.—Colonel Clark has made nine y three prisoners, taken one hundred and twenty stand of arms, eight horses and seven oxen. The prisoners arrived at this post on the 13th instant.

## NAVAL.

Commodore *Decatur's* squadron was prepared for an escape from *New-London*, the first opportunity. Those acquainted with the coast think the season has arrived when he will get past the *British frigate-guards*—as their ships of the line are now called.—The blockading squadron consisted of one 74, one razee, two frigates, a sloop of war and a schooner.

It being reported at *Halifax*, that com. *Rodgers* had arrived on our coast, a whole FLEET was sent out to catch him.

A British *frigate* is cruising off *Portland*, to keep the *Enterprize* or *Rattlesnake* from interrupting the cruises of "his majesty's" brigs on that station.

*Copy of a letter from com. Chauncey to the secretary of the navy, dated*
United States' ship General Pike,
Off Niagara, 1st. Oct. 1813.

SIR—On the 26th ult. it was reported to me, that the enemy's fleet was in York—I immediately dispatched the Lady of the Lake to look into York, and ascertain the fact—she returned in the evening with the information that the enemy was in York bay. I immediately prepared to weigh, but owing to a strong wind from N. N. E. was not able to get out of the river until the evening of the 27th, and, owing to the extreme darkness of the night, a part of the squadron got separated and did not join before next morning at 8 A. M.—On the 28th, the General Pike, Madison and Sylph, each took a schooner in tow and made all sail for York. Soon after discovered the enemy's fleet under way in York bay, shaped our course for him and prepared for action—he perceived our intention of engaging him in his position, tacked and stood out of the bay, wind at east; I formed the line and run down for his centre. When we had approached within about 3 miles he made all sail to the southward—I wore in succession and stood on the same tack with him, edging down gradually in order to close—at 10 minutes past meridian, the enemy finding that we were closing fast with him, and that he must either risk an action or suffer his two rear vessels to be cut off, he tacked in succession, beginning at the van, hoisted his colors and commenced a well directed fire at this ship, for the purpose of covering his rear, and attacking our rear as he passed to leeward; perceiving his intention, I was determined to disappoint him; therefore as soon as the Wolf (the leading ship) passed the centre of his line and abeam of us, I bore up in succession (preserving our line) for the enemy's centre; this manœuvre not only covered our rear but hove him in confusion; he immediately bore away, we had however closed so near as to bring our guns to bear with effect, and in 20 minutes the main and mizen top mast and main-yard of the Wolf was shot away; he immediately put before the wind and set all sail upon his foremast; I made the signal for the fleet to make all sail; the enemy, however, keeping dead before the wind, was able to outsail most of our squadron. As it brought all the sail upon one mast, he did not feel the loss of his main and mizen top-mast—I continued the chase until near 3 o'clock, during which time I was enabled in this ship (with the Asp in tow) to keep within point blank shot of the enemy, and sustained the whole of his fire during the chase. Capt. Crane in the Madison, and lieutenant Brown in the Oneida, used every exertion to close with the enemy, but the Madison having a heavy schooner in tow and the Oneida sailing very dull before the wind, prevented those officers from closing near enough to do any execution with their carronades. The Governor Tompkins kept in her station, until her foremast was so badly wounded as to oblige her to shorten sail. Lieut. Finch of the Madison who commanded her for this cruise (owing to the indisposition of lieut. Pettigrew) behaved with great gal-

lantry and is an officer of much promise. Captain Woolsey in the Sylph was kept astern by the Ontario, which he had in tow, but did considerable execution with his heavy guns.

At 15 minutes before 3 P. M. I very reluctantly relinquished the pursuit of a beaten enemy—the reasons that led to this determination were such as I flatter myself that you will approve—they were these: At the time I gave up the chase, this ship was making so much water, that it required all our pumps to keep her free (owing to our receiving several shot so much below the water edge, that we could not plug the holes from the outside) the Gov. Tompkins with her foremast gone, and the squadron within about six miles of the head of the lake, blowing a gale of wind from east and increasing with a heavy sea on, and every appearance of the Equinox. I considered that if I chased the enemy to his anchorage at the head of the lake, I should be obliged to anchor also, and although we might succeed in driving him on shore, the probability was that we should go on shore also—he amongst his friends, we amongst our enemies, and after the gale abated, if he could succeed in getting off one or two vessels out of the two fleets, it would give him as completely the command of the lake as if he had 20 vessels. Moreover he was covered at his anchorage by a part of his army, and several small batteries thrown up, for the purpose. Therefore, if we could have rode out the gale, we should have been cut up by their shot from the shore; under all these circumstances, and taking into view the consequences resulting from the loss of our superiority on the lakes at this time, I without hesitation relinquished the opportunity then presenting itself of acquiring individual reputation at the expense of my country.

The loss sustained by this ship was considerable, owing to her being so long exposed to the fire of the whole of the enemy's fleet, but our most serious loss was occasioned by the bursting of one of our guns, which killed and wounded 22 men and tore up the top-gallant forecastle which rendered the gun upon that deck useless. We had four other guns cracked in the muzzle, which rendered their use extremely doubtful. Our main-top-gallant mast was shot away in the early part of the action, and the bow sprit, fore and main mast wounded, rigging and sails much cut up, and a number of shot in our hull, several of which were between wind and water, and 27 men killed and wounded, including those by the bursting of the gun. The Madison received a few shot, but no person hurt on board.—The Gov. Tompkins lost her foremast and the Oneida her main-top mast badly wounded. We have, however, repaired nearly all our damages, and are ready to meet the enemy. During our chase one, if not two, of the enemy's small vessels was completely in our power if I could have been satisfied with so partial a victory, but I was so sure of the whole that I passed them unnoticed, by which means they finally escaped.

The gale continued until last night, but the wind still blows from the eastward. I thought it important to communicate with general Wilkinson, to ascertain when he meant to move with the army. I therefore ran off this place for that purpose, and he thinks that the public service will be promoted by my watching sir James at the head of the lake, and if possible preventing his return to Kingston, while he proceeds with the army for Sackett's Harbor. I shall, therefore, proceed immediately in quest of the enemy.

I have great pleasure in acknowledging the assistance I received from captain Sinclair during our chase, in using his best exertions to bring this ship into close action. The other officers and men behaved to my perfect satisfaction, and were extremely anxious to close with the enemy even singly, and if he ever gives us an opportunity for close action, they will show that they are not inferior to any of their countrymen.

I have the honor to be, very respectfully, sir, your most obedient humble servant,

ISAAC CHAUNCEY.

*Hon. William Jones, Sec'ry of the Navy.*

*Copy of a letter from commodore Chauncey to the secretary of the navy, dated*

United States' ship General Pike,
Sackett's Harbor, 6th Oct. 1813.

SIR—I have the pleasure to inform you that I arrived here this morning, with five of the enemy's vessels, which I fell in with and captured last evening off the Ducks. They were part of a fleet of seven sail which left York on Sunday with 234 troops on board, bound to Kingston. Of this fleet five were captured, one burnt, and one escaped; the prisoners, amounting to nearly 300, besides having upwards of 300 of our troops on board from Niagara, induced me to run into port for the purpose of landing both.

I have an additional pleasure in informing you, that amongst the captured vessels are the late U. S. schooners Julia and Growler, the others are gun-vessels.

I have the honor to be, very respectfully, sir, your most obedient servant. ISAAC CHAUNCEY.

*Hon. William Jones,*
*Sec'ry of the navy, Washington.*

*Return of the troops of H. B. M's De Watteville regiment, captured on the 5th October.*

1 major, 1 captain, 3 subalterns, 1 surgeon, 10 sergeants, 4 drummers and bugles, 202 rank and file.
(Signed) C. W. GRANT, L. C. B. M. L. C.

*Officers and marines.*—1 lieutenant, 2 master's mates, 35 seamen and marines, of the royal navy, and 4 sailing masters of the provincial navy.

*Inspector General's Office,*
*Sackett's Harbor, Oct. 7, 1813.*

SIR—I have the honor herewith to furnish you with the names, rank and regiment of the officers landed from on board the fleet on the 6th inst. viz.

Charles de Villatte, major, Watteville regiment
Frederick Zellender, captain do. do.
Francis Dicenter, lieutenant do. do.
W. A. Steel, lieutenant and adjutant 89th do.
Arthur Carter, lieutenant royal artillery.
Charles Morris, volunteer do. do.
David Duvall, lieutenant Watteville regiment.
Albert Manuel, do. do. do.
Marc. M'Mahan, lieut. 8th or King's regiment.
Torbeia, assistant surgeon, Watteville do.

I am sir,

J. GIBSON, *Inspector-general.*

*Commodore Isaac Chauncey, U. S. navy.*

## Captain Allen.

*Late of the United States' sloop of war Argus.*

William Henry Allen was an officer, no less distinguished by his bravery than the uniform courtesy and amenity of his manners. In ordinary life, we discover nothing of those high qualities, for which in the hour of danger he was found to be so pre-eminent. He relaxed into all the mildness of the polished and amiable gentleman, stated his opinions with modesty, and carefully abstained from irritating or insulting language. His conversation, although peculiarly unostentatitous, was luminous and instructive, and combined the elegance of the scholar with the sound practical sense of a man of inter-

course with the world. He studied naval tactics as a science, and labored to adorn and decorate the stern and masculine character of the sailor with the milder graces and softer embellishments. In this he succeeded completely, and was capable of turning to the view the stern and intrepid side of his character or the milder and more amiable, as occasion required. In his friendships he was ardent, constant and effective. All these advantages were rendered still more conspicuous by a noble masculine deportment, and the fine form which he inherited from nature. A stranger in his company and perfectly ignorant of his character, would find his heart drawn powerfully towards him, by the predominant and pervading sympathy, which such endearing qualities always excites. He would be disposed to converse more with him and to cultivate his friendship. Every hour he would feel this attachment growing stronger, as the varied beauties of the character were disclosed in succession. Such was Wm. Henry Allen. He had adorned his name by his bravery, which was so conspicuous in the affair of the Macedonian. This enlarged his ideas, and made him pant for fame, that last infirmity of noble minds. He has fallen, indeed—but to all the purposes of life he had lived long enough. He had enjoyed the confidence of his country, and died in the performance of his duty. This humble wreath is not less a tribute to individual friendship than to justice.

[*U. S. Gaz.*

## THE CHRONICLE.

*New-Jersey election.*—The political character of this state is completely changed by the late elections. The "republicans" have a majority in each branch of the legislature, and the executive will have the same designation.

*Comparative view of the legislature,* 1812 *and* 1813.

| | 1812. | | | | 1813. | | | |
|---|---|---|---|---|---|---|---|---|
| | *Council.* | | *Assembly.* | | *Council.* | | *Assembly.* | |
| | Rep. | Fed. | Rep. | Fed. | Rep. | Fed. | Rep. | Fed. |
| Bergen | 0 | 1 | 0 | 3 | 0 | 1 | 1 | 2 |
| Essex | 1 | 0 | 4 | 0 | 1 | 0 | 4 | 0 |
| Morris | 1 | 0 | 3 | 0 | 1 | 0 | 3 | 0 |
| Sussex | 1 | 0 | 4 | 0 | 1 | 0 | 4 | 0 |
| Middlesex | 0 | 1 | 0 | 3 | 0 | 1 | 0 | 3 |
| Somersett | 0 | 1 | 0 | 3 | 0 | 1 | 0 | 3 |
| Hunterdon | 1 | 0 | 1 | 3 | 1 | 0 | 4 | 0 |
| Burlington | 0 | 1 | 0 | 4 | 0 | 1 | 0 | 4 |
| Monmouth | 0 | 1 | 0 | 3 | 1 | 0 | 3 | 0 |
| Salem " | 1 | 0 | 3 | 0 | 1 | 0 | 3 | 0 |
| Gloucester | 0 | 1 | 0 | 3 | 0 | 1 | 0 | 3 |
| Cumberland | 1 | 0 | 2 | 0 | 1 | 0 | 2 | 0 |
| Cape May | 0 | 1 | 0 | 1 | 0 | 1 | 0 | 1 |
| | 6 | 7 | 17 | 23 | 7 | 6 | 24 | 15 |

The *Pennsylvania* returns shew a great increase of "republican" votes. The detail may be inserted as soon as the returns are complete. The whole representation in congress from this state is "republican," and many counties have cast off their old members in the assembly. The district that elected Mr. *Cloninger* (a federalist) to congress last year (who has resigned his seat) has returned a republican by a majority of from 1500 to 2000 votes.

*Maryland election.*—*Two* returns have been made by the judges of Alleghany county, one from each district being convened to make the usual return. Four of the judges have returned four "federalists" with a note stating an "irregularity" in one of the districts; and two of the judges have absolutely returned three republicans and one federalist as the voice of the people directed. All the judges are "federalists." From the information afforded, whether of the flimsy pretence to vitiate the election, or the public feeling respecting it, we give our opinion that those highest in vote will obtain their seats before the election of governor is attempted, in December next.

We have no European news since our last.

## American Prizes.

WEEKLY LIST—CONTINUED FROM PAGE 120.

"The winds and seas are Britain's wide domain,
"And not a sail, but by *permission* spreads!"
*British Naval Register.*

625. "*His majesty's*" schooner Julia, captured by commodore Chauncey on Lake Ontario.

626. "*His majesty's*" schr. Growler, captured by ditto on ditto.

627, 628, 629. Three of "*his majesty's*" gun vessels captured by ditto on ditto.

630. One of "*his majesty's*" gun vessels burned by ditto on ditto.

## British Discipline.

"England is a flogged nation."—*Cobbett.*

Mr. W. Smith, on a recent debate on the cruelty of military officers, in the British house of commons, stated, that *John O'Brien,* a private soldier, was by the order of col. Orde, on the Halifax station, for a small offence, loaded with a heavy knapsack in hot weather and ordered to walk about all day, allowing him no rest, and made to take his dinner at the sundial, standing. He then deserted, but surrendered himself. For this he was tried, and sentenced a THOUSAND LASHES; but being recommended to mercy, he received only 500 of them!!! The honorable member stated a variety of other cases which appeared before a court martial, respecting officers and privates. *In three years and a half, said he,* ONE HUNDRED AND THIRTY-TWO THOUSAND LASHES had been inflicted on a body of only 400 men, exclusive of garrison and drum head sentences. And yet such a cruel, wanton and wicked nation as England, is called the "bulwark of the religion we profess."

## British import of Cotton.

Extract of a letter from Liverpool, dated Aug. 27.

"*Cotton*—In the first seven months, 1812, the import of it was—

| | |
|---|---|
| From America | 78,600 bags. |
| Brazil and Lisbon | 15,179 |
| Dutch colonies | 5,930 |
| Total, | 139,700 |

In the first seven months of 1813—

| | |
|---|---|
| From America | 12,080 bags. |
| Brazil and Lisbon | 45,380 |
| Dutch colonies | 12,120 |
| Other parts | 12,430 |
| Total, | 82,010 |

Being a decrease of supply of 57,790 bags, all of the largest size. The import last month was 17,500 bags, of which nearly 5,000 were of the produce of the United States, received principally through the medium of neutrals, and 9,000 from the Brazils."

## POSTSCRIPT.

We have a report which appears worthy of credit, that his *Britannic majesty's* sloop Morgiana, carrying 20 guns, has been sent into Newport, (R. I.) by the *privateer* Saratoga, of N. Y. of 14 guns. "If it be true we shall hear more of it."

It is stated that the British force under gen. *Vincent* retreated from the neighborhood of Fort *George* on hearing of the fall of *Malden.*

# THE WEEKLY REGISTER.

No. 9 of vol. V.] BALTIMORE, SATURDAY, October 30, 1813. [whole no. 113

*Hæc olim meminisse juvabit*—Virgil.

Printed and published by H. Niles, South-st. next door to the Merchants' Coffee House, at $ 5 *per annum.*

## British Parliament.

[The following debate is, in many respects, highly interesting to the people of the United States. If the representation of lord *Cochrane* be true, how humble is the state of the British sailor!—If what Mr. *Croker* advances is correct, how honorable to our own tars!—Little did Mr. C. apprehend the splendid eulogium he was passing on the *American* seamen, in the portrait he gave of the gallantry of those they so easily conquered.]

JULY, 1813.—STATE OF THE NAVY.

Lord Cochrane rose in pursuance of his notice, to call the attention of the house to the present state of the navy. He would not long trespass on the attention of the house. In order to place before them in a clear and perspicuous manner his sentiments upon this most important subject, he had embodied them in a resolution, which members would have an opportunity of perusing, and weighing with due deliberation during the period of adjournment, and the truth of which they would thus have an opportunity of ascertaining. He could only say, that to the correctness of the facts which he should state, he could most fully pledge himself. He would then content himself with reading his resolution, and should reserve whatever else he might have to offer to the house till he heard whether any objection should be made—an event which he did not anticipate, as he saw not upon what ground objection could rise. The noble lord then read the following resolution:

"That the honor of his majesty's crown, the glory and safety of the country, does in a great degree depend on the maintenance, especially in time of war, of an efficient naval establishment. That during the late and present war with France, splendid victories have been gained by his majesty's fleets and vessels of war, over a vast superiority in the number of guns and men, and in the weight of metal.—That these victories, gained under such circumstances, were obtained by the skill and intrepidity of the officers, and by the energy, zeal and valor of the crews. That during the present war with the United States of America, his majesty's naval service has, in several instances, experinced defeat, in a manner, and to a degree, unforeseen and unexpected by this house, by the admiralty, and by the country at large. That the cause of these lamentable defeats is not any superiority possessed by the enemy, either in skill or valor, nor the well known difference in the weight of metal, which heretofore has been deemed unimportant; but arises chiefly from the decayed and heartless state of the crews of his majesty's ships of war, compared with their former energy and zeal—and compared, on the other hand, with the freshness and vigor of the crews of the enemy. That it is an indisputable fact, that long and ultimated confinement to a ship, as well as to any other particular spot, and especially when accompanied with the diet necessarily that of ships of war, and a deprivation of the usual recreations of man, seldom fails to produce a rapid decay of the physical powers—the natural parent, in such cases, of despondency of mind. That the late and present war against France (including a short interval of peace, in which the navy was not paid off) have lasted upwards of twenty years, and that a new naval war has recently commenced. That the duration of the term of service in his majesty's navy is absolutely without any limitation: and that there is no mode provided for by law, for the fair and impartial discharging of men therefrom; and that, according to the present practice, decay, disease, incurable wounds, or death, can alone procure the release of any seaman, of whatever age, or whatever length of service. That seamen who have become wholly unfit for active service, are, in place of being discharged and rewarded, according to their merits and their sufferings, transferred to ships on harbor duty, where they are placed under officers wholly unacquainted with their character and former conduct, who have no other means to estimate them, but on the scale of their remaining activity and bodily strength; where there is no distinction made between the former petty officer and the common seaman; between youth and age; and when those worn out and wounded seamen, who have spent the best part of their lives, or have lost their health in the service of their country, have to perform a duty more laborious than that of the convict felons in the dock yards; and with this remarkable distinction, that the labors of the latter have a known termination. That though the seamen, thus transferred, and thus employed, have all been invalided, they are permitted to re-enter ships of war on actual service: and that such is the nature of the harbor duty, that many, in order to escape from it, do so re-enter; there being no limitation as to the number of times of their being invalided, or that of their re-entering. That to obtain a discharge from the navy, by purchase, the sum of eighty pounds sterling is required by the admiralty, which together with other expenses, amount to twenty times the original bounty, and is equal to all that a seaman can save, with the most rigid economy, during the average period in which he is capable of service; that this sum is demanded alike from men of all ages and of all lengths of servitude; from those pensioned for wounds, and also from those invalided for harbor duty; thus converting the funds of Greenwich and the reward of former services into a means of recruiting the navy; that such is the horror which seamen have of this useless prolongation of their captivity, that those who are able, in order to escape from it, actually return into the hands of government all those fruits of their toil which formerly they looked to as the means of some little comfort in their old age. That besides these capital grievances, tending to perpetuate the impress service, there are others worthy the serious attention of this house. That the petty officers and seamen on board of his majesty's ships and vessels of war, though absent on foreign stations for many years, receive no wages until their return home, and are of course deprived of the comforts which those wages paid at short intervals, would procure them; that this is now more severely felt, owing to the recent practice of postponing declarations of war until long after the war has been actually begun; by which

means the navy is deprived under the name of droits, of the first fruits and greatest proportion of the prize money to which they have heretofore been entitled; and thus, and by the examinations of the courts of admiralty, the proportion of captures which at last devolves to the navy is much too small to produce those effects which formerly were so beneficial to the country; that while their wages are withheld from them abroad, when paid at home, which, to prevent desertion, usually takes place on the day before they sail out again, having no opportunity to go on shore, they are compelled to buy slops of Jews on board, or receive them from government 15 per cent. higher than their acknowledged value; and being paid in bank notes, they are naturally induced to exchange them for money current in other countries, and which it is notorious that they do at an enormous loss; that the recovery of the pay and prize money by the widows, children, or relatives of seamen, is rendered as difficult as possible: and finally, the regulations with regard to passing of the examination requisite, previous to an admission to the benefits of Greenwich hospital, subject the disabled seamen to so many difficulties, and to such long delays, that in numerous cases, he is compelled to beg his way in the pursuit of a boon, the amount of which, even in event of the loss of both eyes, or of both arms, does not equal that of the common board wages of a footman.—That one of the best and strongest motives to meritorious conduct in military and naval men, is the prospect of promotion, while such promotion is, at the same time, free of additional expense to the nation; but that in the British naval service, this powerful and honorable incitement has ceased to exist, seeing that the means of rewarding merit has been almost wholly withdrawn from naval commanders in chief, under whose inspection services are performed; in fact it is a matter of perfect notoriety, that it has become next to impossible for a meritorious subordinate petty officer or seaman to rise to the rank of lieutenant; that in scarcely any instance promotion or employment is now to be obtained in the navy, through any other means than what is called parliamentary interest—that is, the corrupt influence of boroughs. That owing to these causes, chiefly, the crews of his majesty's ships of war have, in general, become in a very considerable degree worn out and disheartened, and inadequate to the performance, with their wonted energy and effect, of those arduous duties which belong to the naval service; and that hence has arisen by slow and imperceptible degrees, the enormous augmentation of our ships and men, while the naval force of our enemies is actually much less than in former years.—That, as a remedy for this alarming national evil, it is absolutely necessary that the grievances of the navy, some of which only have been recited above, should be redressed; that a limitation of the duration of service should be adopted, accompanied with the certainty of a suitable reward, not subject to any of the effects of partiality, and that measures should be taken to cause the comfortable situations in the ordinary of the dock yard,—the places of porters, messengers, &c. &c. in and about the offices belonging to the sea service, the under wardens of the naval forests, &c.—to be bestowed on meritorious decayed petty officers and seamen, instead of being, as they now generally are, the wages of corruption in borough elections. That this house, convinced that a decrease of energy of character cannot be compensated by an augmentation of the number of ships, guns, and men, which is, at the same time, a grievous pecuniary burden to the country, will, at an early period next session, institute an enquiry by special committee, or otherwise, into the matters above stated, and particularly with a view to dispensing suitable rewards to seamen; that they will investigate the state of the fund of Greenwich hospital, and ascertain whether it is necessary to apply the droits of the admiralty, and droits of the crown, as the natural first means of compensation to those who have acquired them by their valour, their privations and their sufferings."

Sir Francis Burdett seconded the resolution.

Mr. Croker said, he should think himself wanting in duty to the house, if he did not at once assure them, that except the very opening of the resolution which had just been read from the chair, there was not one statement which was not unfounded in fact, or exaggerated in the highest degree. (Hear, hear.) He had only to lament that the noble lord had not brought forward this subject at an earlier period of the session, so that his statements might have been refuted in a manner more decided, although perhaps not more satisfactorily than they would be on the present occasion. He was surprised that the noble lord should have ventured to submit to the house a resolution bearing upon its face such evident marks of its own falsehood—a resolution, so replete as it was with the most unfounded calumny, and with such distortion of facts—who but the noble lord would have ever dreamed of such an insinuation as that the late victories gained by the American navy over the British flag had been attributable, not to the inequality of force, but to the misconduct and pusilanimity of our sailors? (Hear, hear.)—What! he would ask, was the crew of the Java dispirited when she was taken? (Hear.) When the Macedonian was taken, was her crew sunk in apathy and broken-hearted? (Hear, hear.) So far from this being the case, he could state from his own knowledge, that in the latter part of the actions in which these vessels were engaged, and in which they had fought with so much honor to themselves, and so much glory to the British name, when almost all hopes had failed, their spirit and valor still remained unsubdued; and instead, as the noble lord would have the house to believe, of sinking amidst the weight of their misfortunes, they cheered each other, with reiterated shouts of encouragement; and those cheers invariably commenced amongst the wounded in the cockpit! Did this, he would demand of the noble lord, show any thing like a crew disheartened? Did this show a British sailor to be aught but what he had ever proved himself to be? Did this tend to tarnish, or to diminish the lustre which had ever attended the career of the British navy? (Hear, hear.) With these facts before the house and the country, was he not authorized to call upon the noble lord to state, how he could presume to ask the house to vote for his resolution? Another fact he would state, which he supposed the noble lord would construe into a new proof of the apathetical and disheartened state of our sailors.—That to which he alluded, was the conduct of John Humble, the boatswain of the Java, who, it would be seen on his examination before a court martial, amongst other facts, stated, that having had his arm carried away, he went below to the surgeon, and, had his stump "put to rights," as he termed it, by having the tourniquet applied to it, returned to the deck and cheered the boarders with his pipe.—(Hear, hear.) Was this a proof of any diminution of British valor, or of a falling off in the character and spirit of those brave men, who, until libelled and blown upon by the noble lord, had stood above the most distant imputation of misconduct? In the same degree as this part of the resolution of the noble lord was incorrect, so was all the rest. With

respect to the fact stated, of 80*l.* being demanded for the discharge of every seaman from the navy, nothing could be more unfounded. The truth was, that 80*l.* certainly was demanded for the discharge of an able seaman; but in proportion as the ability and usefulness of the man diminished so did the sum required for his discharge. For instance, an ordinary seaman paid but 60*l.* and a landman but 40*l.*; and if these men became invalided, and were only employed in harbor duty, this demand was diminished one half. And again, where they were unfit for service, they were not alone discharged without fee, but received a pension for the remainder of their lives. (Hear.) If the sailors in his majesty's service were not heart broken before, the base libel which the noble lord had that day attempted to throw on their character and their honor, was sufficient to effect that object, had the noble lord maintained so much authority over them as he did in former times—a circumstance which, happily there was much reason to doubt. The noble lord had talked also of corruption, and had said, that promotions could only be obtained by means of corruption and parliamentary influence. He would ask the noble lord, if his promotion was the effect of corruption? (Hear, hear, hear.) Was the red ribbon which was given to him, for the first time to a man of his rank, the effect of parliamentary influence?—(hear, hear!)—And was the promotion of many other men whom he could name, if it would not be in some degree invidious, to be attributed to such an unworthy cause? It was easy, however, for the noble lord to talk in generals, but let him name who has received the wages of corruption, or who had given them—(hear, hear!) The right honorable gentleman having made some further reprobatory comments upon the resolution of the noble lord, concluded by expressing a hope, that if the noble lord dared to press it to a division, that the house would leave him in such a minority as would prove the indignation with which it was regarded by the house.

Mr. Lockheart entreated the noble lord to withdraw a resolution so inconsistent with the character which his lordship had always born, and so hostile to every feeling which the house had ever entertained towards the British navy.

Sir F. Burdett thought there was sufficient reason stated by the noble lord for an inquiry, and the very doubts which were urged by the right honorable gentleman (Mr. Croker) proved to him most strongly the necessity of that inquiry. He would agree that the period of the session at which the matter had been brought forward was too advanced, yet if the resolution was rejected now, he hoped the noble lord would renew the subject at an early part of the ensuing session. He would not, however, advise the noble lord to withdraw his resolution after the manner in which it had been stigmatized by the right honorable gentleman (Mr. Croker.)

Mr. Rose in the fullest manner denied all that had been advanced by the noble lord, with respect either to the difficulty of sailors receiving their pay or the prize money.

Mr. Calcraft, in terms of great animation, complimented Mr. Croker on the speech which he had made, and observed, that the resolution of the noble lord was calculated to do more mischief in the British navy, than any other plan which could be devised. The honorable gentleman then defended the character of the British sailors with becoming zeal and energy, and concluded by expressing a hope, that the resolution would meet in that house the fate it so eminently deserved.

Mr. Wrottesley bore testimony to the facility in the naval public officers.

Mr. Stainforth opposed the resolution.

Lord Cochrane replied. He said he was not displeased at the warmth with which his disposition had been met. It certainly would be injurious to no one, except to the feeling of certain members of that house. The right honorable secretary had met his statements with individual instances of gallantry. The existence of these he did not deny; but he asserted, that the physical power of our seamen was decreasing, partly from the length of the war, and partly from the system of harbor duty, established in 1803. He had heard that the system was about to be changed; and he should be happy to hear from the right honorable secretary that such was the fact. The right honorable secretary had challenged him to show an instance of an officer having purchased his discharge from such service. He would name a Mr. Ford, who had served with him in the Imperieuse, who had done so; and Nelson, his cockswain of that vessel, had been placed in harbor service, and had returned to him; and another person of the name of Farley of the Leda, had three times left that degrading service, and had each time returned to him, and died with him, completely worn out in the service. These were facts which he was prepared to prove at the bar, as he was all those which had been denied with so much warmth by the right honorable secretary. To show further that the crews of British ships of war were unequal to themselves heretofore, he would relate what was the opinion of a person not at all likely to be disaffected to the order of things; he was then son of a bishop; he had taken an American privateer, the crew of which consisted of only 130 men, and he had declared that he would rather have them than his own crew, consisting of 240. If the right honorable secretary doubted this fact, he might inquire, and he would easily verify it. The noble lord had heard that the sailors taken prisoners by the Americans, had been found running away in the back settlements; that forty of them had been brought back by force, and that from the manifestation of this propensity, the exchange of prisoners had been broken off. The lateness of the period at which he had brought forward his resolution had been complained of. He did intend to bring in a bill to limit the term of service, but circumstances had prevented him; but he would carry his intention into effect in the next session. With respect to parliamentary influence, the right honorable secretary had asked, whether he had found it of service to himself in his profession? He certainly had not, because he had never prostituted his vote for that purpose; but he had no doubt others had found that influence of great avail. When he again brought forward the subject, he should prove all the facts he had adduced, and he hoped so much ignorance of the subject would not then be found to prevail.

Mr. Croker replied to the questions put by lord Cochrane, that the government had at all times been very watchful over the harbor duty, but that it had not taken any new steps since the suggestions of the noble lord. He had never heard that the sailors taken prisoners by the Americans, had been found running away to the back settlements; nor of forty men being brought back by force. The exchange of prisoners was broken off, in consequence of some wrong done to the British seamen, and not in consequence of any fault of theirs.

The resolution was then negatived without a division.

# Barbarities of the Enemy.

DOCUMENTS

*Accompanying the report of the committee of the house of representatives, appointed to enquire into the spirit and manner in which the war has been waged by the enemy.*

(Concluded from page 125.)

No. VIII.

*Nicholasville, Kentucky, April 24th, 1813.*

SIR,—Yours of the 5th instant, requesting me to give you a statement respecting the late disaster at Frenchtown, was duly received. Rest assured, sir, that it is with sensations the most unpleasant that I undertake to recount the inhumous and barbarous conduct of the British and indians after the battle of the 22d of January. The blood runs cold in my veins when I think of it.

On the morning of the 23d, shortly after light, six or eight indians came to the house of Jean Babtiste Jereaume, where I was in company with major Graves, captains Hart and Hickman, doctor Todd, and fifteen or twenty private volunteers, belonging to diff rent corps. They did not molest any person or thing on their first approach, but kept sauntering about until there were a large number collected (say one or two hundred) at which time they commenced plundering the houses of the inhabitants, and the massacre of the wounded prisoners. I was one amongst the first that was taken prisoner, and was taken to a horse about twenty paces from the house after being divested of part of my clothing, and commanded by signs there to remain for further orders. Shortly after being there, I saw them knock down captain Hickman at the door, together with several others with whom I was not acquainted. Supposing a general massacre had commenced, I made an effort to get to a house about one hundred yards distant, which contained a number of wounded, but, on my reaching the house, to my great mortification, found it surrounded by indians, which precluded the possibility of my giving notice to the unfortunate victims of savage barbarity. An indian chief of the Tama tribe, by the name of McCarty, gave me possession of his horse and blanket, telling me by signs, to lead the horse to the house which I had just before left. The indian that first took me, by this time came up and manifested a hostile disposition towards me, by raising his tomahawk as if to give me the fatal blow, which was prevented by my very good friend McCarty. On my reaching the house which I had first started from, I saw the indians take off several prisoners, whom I afterwards saw in the road, in a most mangled condition, and entirely stript of their clothing.

Messrs. Bradford, Searls, Turner and Blythe, were collected round a carriole which contained articles taken by the indians from the citizens. We had all been placed there by our respective captors, except Blythe, who came where we were, entreating an indian to convey him to Malden, promising to give him forty or fifty dollars, and, whilst in the act of pleading for mercy, an indian more savage than the other stepped up behind him, tomahawked, stripped and scalped him. The next that attracted my attention, was the houses on fire that contained several wounded whom I knew were not able to get out. After the houses were nearly consumed, we received marching orders, and after arriving at Sandy creek the indians called a halt, and commenced cooking; after preparing and eating a little sweetened gruel, Messrs. Bradford, Searls, Turner and myself received some and were eating, when an indian came up and proposed exchanging his mockasons for Mr. Searls' shoes, which he readily complied with. They then exchanged hats, after which the indian inquired how many men Harrison had with him, at the same time calling Searls a Washington or Madison, then raised his tomahawk and struck him on the shoulder, which cut into the cavity of the body. Searls then caught hold of the tomahawk and appeared to resist, and upon my telling him that his fate was inevitable, he closed his eyes and received the savage blow which terminated his existence. I was near enough to him to receive the brains and blood, after the fatal blow, on my blanket. A short time after the death of Searls, I saw three others share a similar fate. We then set out for Brownstown, which place we reached about twelve or one o'clock at night. After being exposed to several hours inclement ratio in reaching that place, we were put into the council house, the floor of which was partly covered with water; at which place we remained until next morning, when we again received marching orders for their village on the river Rouge, which place we made that day, where I was kept six days, then taken to Detroit and sold. For a more detailed account of the proceedings, I take the liberty of referring you to a publication which appeared in the public prints, signed by ensign J. L. Baker; and to the publication of judge Woodward, both of which I have particularly examined and find them to be literally correct, so far as came under my notice.

I am sir, with due regard, your fellow-citizen,

GUSTAVUS M. BOWER,

*Surgeon's mate 5th regt. Ky. volunteers.*

Jessamine county, to wit:

This day Gustavus M. Bower personally came before me, John Metcalf, one of the commonwealths' justices of the peace in and for said county, and made oath to the truth of assertions before stated by the said Bower. Given under my hand this 24th day of April, 1813. JOHN METCALF.

*Jesse Bledsoe, esq. Lexington.*

*Lexington, May 2d, 1813.*

SIR,—I received your letter some time since, relative to the disastrous affair of Frenchtown, of 22d and 23d January last. For the particulars of the action, and the terms of capitulation, I refer you to the official report of general Winchester, which is correct as far as came within my knowledge. After the capitulation I was introduced to colonel Proctor, the commander of the British forces and indians, as one of the surviving surgeons, and by him was requested to attend to our wounded, who were left on the ground where the action was fought. I willingly acquiesced, and doctor Bowers, my mate, remained with me; at the same time I informed colonel Proctor of my apprehensions for the safety of the wounded and the surgeons; he replied, he under no apprehensions, you will be perfectly safe, I will place you under the special care of the chiefs until morning, and very early I will send conveyances for the wounded and yourself to Amherstsburg. Shortly after, I was requested to ascertain the number and rank of the wounded, and in so doing, was assisted by a British officer (whose name I did not know) to whom I likewise communicated my apprehensions of safety; he manifested some irritation at my doubts of British honor and magnanimity, and assured me protection would be afforded me. While engaged in this business, one of the rooms occupied by the wounded was crowded with indians who were peaceable, but one of them who could speak English, admonished the British officer of the propriety of stationing interpreters in the houses. Upon my return from this business to the room I occupied, and which was set apart for the wounded officers, I met, and was made acquainted with, captain Elliott, at present a British officer, who had visited captain Hart, then wounded. Captain Hart was solicitous to be removed that evening, and captain Elliott replied, if it was possible (and every exertion should be made) he should, and, if it could not be effected that evening, early in the morning he would call for him in his own train (sleigh) and convey him to his own house in Amherstsburg, where he should remain until recovered, assuring him repeatedly no danger was to be apprehended, and if possible he would remain with him that night. In the afternoon captain Elliott and every British officer left the encampment, leaving behind three interpreters. From the repeated assurances, my apprehensions were quieted; for who could doubt? About one hour before daylight (for my duties required my attention nearly all the night) the interpreters suddenly disappeared. About an hour after daylight, the indians began to collect in the town, and commenced plundering the houses in which the wounded were placed, and then stripped them and myself of our clothing. At this time the room I had occupied was crowded with indians, and captain Hart's wound already painful, being injured by them, I conveyed him to an adjoining house which had been plundered and was empty, where I met the indian (who on the preceding day had requested that interpreters should be left) and he knew my rank. He inquired why the surgeons were left and why the wounded were left? I replied it was the wish of colonel Proctor we should remain until he could send for us; and captain Hart informed him captain Elliott was a friend of his and was to call for him that morning. He shook his head significantly, and replied they were damned rascals, or we would have been taken off the preceding day. The indian informed me every individual would be killed, and requested me to be quiet, for the chiefs were then in council and "may be," only the wounded would be killed. Captain Hart offered him one hundred dollars to take him to Malden. He replied, you are too badly wounded. While we were conversing, one of the wounded was tomahawked at our feet. Shortly after, the indian returned and told me, I was prisoner, and must go. I was taken by the indian to the house I had left, and there discovered that captain Hickman and two others had, in my absence, been tomahawked, scalpt, and stript. I was tied and taken by this indian towards Malden about four miles, when I came to the encampment of the British wounded, and met with captain Elliott and the surgeon of the 41st regiment. Captain Elliott immediately recognized me, and inquired the cause of my situation. I informed him what had taken place, and requested him to send back immediately, that some who were badly wounded might be still alive, and could be saved, and particularly named captain Hart, for whom he manifested much friendship. Captain Elliott replied, it is now too late, you may rest assured that those who are once taken by the indians are safe, and will be taken to Malden, and those who are badly wounded are killed ere this. I replied, many are unable to walk, and some will be killed after making an effort and walking several miles, who might be saved; to which he replied, charity begins at home, my own wounded are to be conveyed first, and if any sleighs remain, they shall be sent back for your wounded. My anxiety to get permission to return, in hopes of saving some of the prisoners, induced me at length to make an appeal to their avarice. The surgical instruments of the detachment were left in the room I occupied, and I informed the surgeon of their value and importance at that time; he immediately despatched an interpreter for them, who returned with the information, they were destroyed in the burning of the house, and gave additional confirmation of the massacre of the wounded. I was released from the indians by captain Elliott and the surgeon. At this time my brother, who was wounded, and several others were in possession of the indians, who were taking them towards Malden. I requested their release and permission for them to accompany me on foot, under British protection. Captain Elliott told me it was impossible, and to be under no fears; they were safe, for he knew the fidelity of the indians with whom they were. When the intelligence of the massacre was by me communicated to captain Elliott and the surgeon, they appeared much exasperated, and declared it was impossible to restrain the savages. The cause he then assigned to me was, that when the indians discovered their loss in killed and wounded, and that of the British, they started off towards our wounded, declaring they would have satisfaction, and, he continued, I was fearful of the event. During the plunder and the massacre, our wounded conducted themselves with the utmost composure and resignation, and made no resistance, which they knew would be fruitless, and destruction to all.

It was asserted by colonel Proctor in a conversation at Amherstsburg, that the indians had got some whiskey in the house we were stationed, and had become intoxicated. That the indians may have had some whiskey, I shall not deny, but I think I can safely say, that they did not procure it there, and *that* was not the cause of the massacre, for on the preceding days and subsequent to the action of the 18th, I wanted some spirits, and made application to the housekeeper, who assured me there was none about the house

for it was all consumed by the British and indians who had quartered in the house prior to the action of the 18th; besides the indians shewed no manifestation of drunkenness; their deliberate pillering and their orderly conduct throughout, was such as would not be expected from drunken indians.

Upon my arrival at Malden I was again solicited to take charge of the wounded, the surgery was opened to me, and I had the use of the medicines and dressings necessary, and they had as comfortable rooms as could be procured. During our stay at Malden some eight or ten of the wounded were brought in by the indians; several made their escape who were doomed to massacre and found protection with the inhabitants of the territory, who brought them into Malden, and several made their escape, wandered in and delivered themselves up at the fort. Prior to our leaving Malden, one poor fellow was brought in scalpt alive by the indians and delivered up to the British, but before I reached him death put an end to his sufferings. I frequently, and on every occasion, urged the British officers to exert themselves and procure the release of the wounded from the indians, urging the necessity of having their wounds dressed. In a conversation on this subject with captain Elliott, and while urging it, he replied, the indians are excellent surgeons. The prisoners were all marched off to Sandwich after remaining a few days at Malden, and I was called upon to know how many from their wounds were unable to march; who had sleighs furnished them, which was the case during the march to fort George. Before I conclude, I must say, that the terms of capitulation were violated in every particular by the enemy. The wounded were not protected; private property was not held sacred; and our side arms were not restored. With a few exceptions, I was treated respectfully by the British officers, save the abuse which was lavished on my government, and *that* was by no means sparingly bestowed. I am, respectfully, &c.

JOHN TODD, M. D.
*And late surgeon to the 5th regt. Kent. vol. militia.*

The hon. Jesse Bledsoe.

*The commonwealth of Kentucky, Fayette county*, ss.

This day doctor John Todd came before me, John H. Morton, a justice of the peace for said county, and made oath that the facts stated in the foregoing letter are substantially true to the best of his knowledge. Given under my hand this 3d day of May, 1813.

JOHN H. MORTON.

*State of Kentucky, Pendleton county, in the town of Falmouth.*

On the 21st day of April, 1813, I John Dawson, an orderly serjeant in captain Glave's company of the first regiment Kentucky volunteer militia, being detailed off and attached to captain Wriel Seabree's company, and was in the battle of 18th January, and did not receive a wound, but on the 22d, about nine o'clock, received a shot under the right arm which lodged between the ribs. After the capitulation of our troops, there came a paymaster of the British army in the house where I was, to take the number of wounded that was in the house; I asked what was to be done with us; he replied, don't make yourself uneasy about that, you shall be protected this night by a strong guard which shall be left with you. But to my sad misfortune, I found there were but three interpreters left, and in the night an officer took two of them away, and in the morning the other one said he could not talk indian. So when the indians came in the morning, they broke open the doors of the houses, began to tomahawk, scalp and plunder, then set fire to the houses which contained the prisoners; with this I got up, put on my great coat, put up my knapsack, and went out of doors. I had not been out more than one minute, before an indian came up to me and took the coat off my back, also another indian told me to put my knapsack in his sled; I did so. At this time major Graves and captain Hart were out in the yard. I heard captain Hart make a bargain with an indian to take him to Malden, which the indian agreed to do for the sum of one hundred dollars. I saw the indian put a pair of socks on Hart and put him on a horse; this was the last I saw of Hart. I then saw a man riding, whom I thought was a British officer. I made to him, but found that he was an indian who was aid-de-camp to general Roundhead; he had with him when I came up twelve men. It was at the mouth of a lane where I overtook him, where there were two indians scalping two men; he hallooed to them to give way; they did so. After this we went on, and on Sandy creek, about three miles from the battle ground, I saw major Graves in an indian sleigh; this is the last account of him that I could ascertain. We went on that night to Brownstown, and in the morning of the 24th, a man gave out walking with the rheumatic pains, who was by the name of Dawney. The indians tomahawked him and then stript him. We then marched on above Detroit on the river Rouge. I stayed with them seven days, they then took me into Detroit (leaving a young man in the camp by the name of John Dalrymport) and sold me to major Muir, who commands fort Detroit. I then was sent over to Sandwich, there I stayed until the 8th of February; they marched me to fort George and released me on the 19th of February, 1813. The above is a true statement as far as I saw, though I saw numbers massacred that I did not know.

During my confinement with the indians, whilst at their camps, they shewed more humanity than the British.

Given under my hand this 21st day of April, 1813.

JOHN DAWSON.

*Pendleton county*, ss.

I, William Mountjoy, one of the commonwealths' justices of the peace for the state of Kentucky, in and for said county, do certify that the foregoing certificate of John Dawson, was written, subscribed and sworn to before me.

Given under my hand this 21st day of April, 1813.

WM. MOUNTJOY.

*State of Kentucky, Pendleton county, in the town of Falmouth.*

On the 21st day of April, 1813, I, Thomas Pollard, a private of captain Glave's company, of the first regiment of Kentucky volunteer militia, was in battles, fought with the British and indian army, on the 18th and 22d of January last, at the river Raisin, and after the surrender of our army as prisoners of war, on the 22d, upon the assurances of the British officers promising protection to my wounded fellow-soldiers, and that they would send carrioles for them the next day; although I had received no injury in either of the actions fought on the 18th and 22d, I voluntarily staid to assist and comfort my messmates, John Dawson and Albert Ammerman and Jesse Green, all of whom had received wounds by balls.

I have first examined the statement made and sworn to, by John Dawson, hereto annexed, and witnessed every circumstance therein stated to be truly stated, within my own knowledge. The indian who bargained with captain Hart to take him to fort Malden for one hundred dollars, and took charge of him—put him on a horse and started on his way; spoke good enough the English tongue for us to understand the contract.

THOMAS POLLARD.

*Pendleton county*, ss.

I, William Mountjoy, one of the commonwealths' justices of the peace for the state of Kentucky, in and for said county, do certify, that the foregoing certificate of Thomas Pollard, was subscribed and sworn before me. Given under my hand this 21st April, 1813.

*State of Kentucky, Pendleton county, the town of Falmouth.*

On the 21st day of April, 1813, I, Albert Ammerman, a private of captain Glave's company of the first regiment of Kentucky volunteer militia, being wounded in the battle of the 18th January last, at the river Raisin, by a ball in the flesh of the thigh; and from the window of the house which was appropriated for an hospital, was a witness to the battle of the 22d of the same month, and, after the surrender, I, being but slightly wounded, proposed marching with the rest of the prisoners, and was prevented by the order of a British officer, who said that a guard would be left to take care of the wounded, and carrioles would be sent for them to ride into Malden on the next morning. But to my astonishment no guard was left, and, about sunrise on the morning of the 23d, a party of indians returned to the hospital, and the first indian that came to the room I was lodged in, could speak the English language. He was asked by one of the wounded what was to be done with the wounded. He replied they are all to be killed that could not walk; and shortly after a general massacre commenced. I instantly put on my knapsack and went out of the house; my knapsack was demanded by an indian at the door, to whom I gave it. He conducted me to a log some little distance from the house, on which I sat down, where I witnessed the butchery of many of my fellow-citizens—sufferers by the tomahawk and scalping knife; and, to finish the scene, set fire to the houses occupied by the wounded prisoners, many of them struggling in the arms of death, put their heads out of the windows whilst enveloped in smoke and flames. After this bloody work was finished, I was marched off on the direction towards Brownstown, by an indian, and when about half a mile from Frenchtown on our way, was overtaken by two indians who had captain Hart in custody, mounted on a horse. As they approached nearly to us, I noticed they were speaking loud and animated as if in a quarrel, but not understanding their language did not understand what passed between them, but think it is probable that the quarrel was occasioned respecting one hundred dollars which I understood captain Hart had given to one of the indians aforesaid, to convey him to fort Malden. The quarrel appeared to grow very warm, so much so, that the indians took aim at each other with their guns, as if to settle the dispute—it appeared to me as if they had mutually agreed to kill captain Hart and plunder him of the rest of his money and effects, which they did, by taking him off his horse, then knocked him down with a war club, scalped and tomahawked him, and stript him naked, leaving his body on the ground. I was gratified in observing that, during this scene of trial, captain Hart refrained from supplication or intreaty, but appeared perfectly calm and collected. He met his fate with that firmness which was his particular characteristic. No other prisoner of our army of the United States was present to witness this melancholy scene, the death of captain Hart. During my captivity with the indians, five days only, I was treated with more hospitality than I had any reason to expect, much more so than I experienced from the British, after I was ransomed at Detroit, by Mr. Benjamin Chittenden, who will ever be entitled to my utmost gratitude; by him I was humanely treated, and also by some of the French Canadians.

ALBERT (his ✕ mark) AMMERMAN.

*Pendleton county*, ss.

I, William Mountjoy, one of the commonwealths' justices of the peace, for the state of Kentucky, in and for said county, do certify the foregoing certificate of Albert Ammerman, was subscribed and sworn to before me.

Given under my hand this 21st day of April, 1813.

WM. MOUNTJOY.

*Lexington, April* 13th, 1813.

SIR—You request of me a statement of facts within my own knowledge, concerning the murder of our men after the battle and surrender at Frenchtown.

I was one of those who was taken by the indians on the retreat, about one and a half miles from where the action first commenced. Just before we were taken, with the assistance of lieutenant Chinn, belonging to the militia, I formed between fifteen and twenty men, I then discovered the indians running upon us on each side and in front, about sixty in number, with their arms at a trail. I discovered there was no chance to repel them. I ordered the men to ground their arms, which was done; the indians then came up and secured the arms of our men, and shot them, including the lieutenant before mentioned. I was the only one saved. I was taken and delivered up to colonel Elliott, a British officer.

As to the murder of the wounded, I know nothing of my own knowledge. Your obedient servant,

A. GARRETT.

Hon. Jesse Bledsoe.

*Fayette county*, ss.

This day lieutenant Ashton Garrett, of the 17th regiment U.

in futuro, came before me, and made oath that the foregoing statement is just and true to the best of his knowledge and belief.

Given under my hand this 13th day of April, 1813.

J. H. MORTON, J. P.

*State of Kentucky, Fayette county, ss.*

Personally appeared before me, a justice of the peace for the county aforesaid, Charles Bradford, an inhabitant of the town of Lexington, state of Kentucky, who being duly sworn on the Holy Evangelists, deposeth and saith, that he was in the actions at the river Raisin, on the 18th and 22d of January last, that he was wounded in the right hip and remained at Frenchtown after the capitulation; that on the 22d before the prisoners (who were able to walk) were marched for Malden, he saw capt. Wm. Elliott, with whom he had been formerly acquainted, and of whom he inquired personally, what would be done with the wounded prisoners? Whether they would be taken to Malden that evening with the other prisoners or not? He said they would not be taken to Malden that evening, but a strong guard would be left to protect them against any outrage the indians might be disposed to commit. Elliott had a similar conversation with major Graves, captains Hart and Hickman, and doctors Todd and Bowers, in the presence of this deponent. He, Elliott, further stated, that sleighs would be sent to convey the wounded to Malden the next morning. This deponent further says, that the British marched away; no guard was left to protect the wounded, and that captain Elliott, when asked the reason, observed that some interpreters were left whose influence among the indians was greater, and that they were better able to protect us than a guard. About two or three o'clock in the morning of the 23d January, this deponent discovered that the interpreters had left the house in which he was, and he never saw them afterwards; that between daylight and sunrise, on the 23d, he saw a large number of indians come to the house, they burst open the door, and in a few minutes commenced plundering the prisoners, and tomahawking those who were unable to walk. This deponent left the house as soon as possible and went into the yard, where a number of his fellow-prisoners had assembled; he was there chained as a prisoner by an indian, who gave him some articles to hold whilst he plundered more. At this time he was standing with doctor Bower and James E. Blythe, when an indian without any provocation, tomahawked Blythe and scalped him. Shortly after, they (the indians) set fire to the houses in which the wounded had been quartered, and burnt them down, with the bodies of those whom they had murdered. This deponent was then taken by the indians, in company with doctor Bower, Charles Searls, Julius Turner, and several others to Sandy creek; that on the way he saw a number of the prisoners who had been tomahawked; that whilst at Sandy creek, they murdered Charles Searls, Thomas S. Crow, and three or four others; that this deponent was then packed with forty or fifty pounds weight and taken to the river Rouge, where the indians had encamped; that whilst he was there he inquired of an indian whether he would take him to Malden, as he wished to be given to colonel Elliott. The indian said if colonel Elliott told him to do so he would, as they always did as he requested them. This deponent was six days with the indians before they took him to Detroit, where he was purchased by Stephen Mack and Oliver W. Miller, for eighty dollars; that the British officer commanding at Detroit (major Muir) again claimed him as a British prisoner, notwithstanding his having just been ransomed from their allies, by his own countrymen, and sent him to Sandwich, where he remained until the 9th or 10th February, when he was sent to fort George and there paroled. This deponent states, that, whilst a prisoner at Sandwich, he was several times treated insultingly by the British officers, and by one John M'Gregor; that the citizens generally treated the prisoners with kindness and attention, as far as was in their power.

This being the first opportunity the deponent has had, of expressing his gratitude to the American citizens who treated the prisoners with so much friendship and humanity at Detroit, cannot refrain from so doing. And as long as he lives, the names of Messrs. Mack, Miller, Smart, Woodward, Williams, M'Donald, Hunt, Mays, &c. shall never be forgotten.

CHAS. BRADFORD.

Sworn and subscribed to before me, this 29th day of April, 1813.

O. KIEN, J. P.

(COPY.)

*United States' ship Madison, Sackett's Harbor, 4th June, 1813.*

SIR—I have the honor to present you, by the hands of lieutenant Dudley, the British standard taken at York, on the 27th of April last, accompanied by the mace, over which was hung a *human scalp*.

These articles were taken from the parliament house by one of my officers, and presented to me. The scalp I caused to be presented to general Dearborn, who, I believe, still has it in his possession. I also send, by the same gentleman, one of the British flags taken at fort George on the 27th of May.

I have the honor to be, very respectfully sir, your most obedient humble servt. ISAAC CHAUNCEY.

*Hon. Wm. Jones, secretary of the navy, Washington.*

A true copy from the original, filed in the navy department, July 22d, 1813. W. JONES.

## SUPPLEMENTARY.

The following letters belong to the preceding series of documents, and are inserted in the volume published by order of the house of representatives of the United States, but omitted in the *National Intelligencer*, from which we copied, or neglected of ourselves. They are amongst the most interesting of all the papers exhibited to shew the *barbarities of the enemy*. For a *comment* on the infernal treatment the lamented *Lawrence* and his brave officers and crew experienced, the reader is requested to turn to page 102, of the 4th vol. of the REGISTER, and see the public thanks of the first and second lieutenants, the master, surgeon and purser, formerly of the *Peacock*, published in the New-York papers, March 27. These *Englishmen* say, "we ceased to consider ourselves *prisoners*; and every thing that *friendship* could dictate was adopted by you [captain *Lawrence*] and the officers of the *Hornet*, to remedy the inconvenience we should otherwise have experienced" from the loss of their *property, clothes*, &c. which they did not suppose would have been plundered, seeing they were freely clothed and bountifully fed by the generous tars of *Columbia*.

Truly, the heart sickens at these detested details—but every man should read them, and tear from his heart as he would a viper that was gnawing him, every prejudice he felt in favor of this most abandoned, most cruel, most haughty, and most unprincipled nation.

WASHINGTON CITY, July 30.

*From William Berry, midshipman in the frigate Chesapeake.*

SIR,—I consider myself bound to lay before you what came under my knowledge while on board the Chesapeake, as well as on board the Shannon.

After the enemy had complete possession of the ship, midshipmen Randolph and Flushman were ordered from the fore and main-top. In coming from the shrouds lieutenant Falkner (the British officer) said to his men, *kill those damned rascals*. Then, and immediately, several muskets were discharged at them, but without effect. My station was in the mizen-top, where I had an opportunity of seeing their actions. I was looking on deck when I saw one of the Chesapeake's men crawling along, attempting to get below with one of his legs off. *One of the enemy stepped up to him with his cutlass, and immediately put an end to his existence.* Lieutenant Falkner looked up in the mizen-top; pointed at me, said to his men, go up three of you and throw that damned Yankee overboard. They immediately rushed up, seizing me by the collar, now, said they, you damned Yankee, you shall swim for it, attempting to throw me overboard; but I got within the rigging, when one of them kicked me in the breast, which was the cause of my falling; being stunned by the fall, I lay some time senseless, and *when I came to, I was cut over the head with a cutlass*, which nearly terminated my existence. Eleven of our midshipmen were confined in a small place, nine feet by six, with an old sail to lie on, and a guard at the door, until a day or two before our arrival at Halifax; and likewise eleven of us upon five rations, and some days only one meal. Our clothes were taken on board of the Shannon; lieutenant Wallis, the commanding officer on board, would not let us take our clothes below with us, but pledged his word and honor as an officer, we should receive our clothes. But we discovered next morning *that their midshipmen had on our clothes and side arms.* We were conversing together respecting our clothes—one of their midshipmen overheard our conversation, and made a report to the lieutenant commanding. He then sent word to us, that if we said any thing more about the clothes, he would put us in the fore-hold with the men. We expected to receive our clothes when we arrived in port, but I assure you, sir, nothing was ever restored. *Other rascally things occurred*, which our officers will, when they return, make known to the public, *disgraceful to a civilized nation.* If your request could have been made sooner, I should have felt gratified in making a fuller statement.

I have the honor to be, with the highest respect,
WILLIAM BERRY.

*Hon. L. Condit, Washington.*

Another circumstance took place on board which entirely escaped my memory until this moment. Several of the officers had money taken from them which they received from the Chesapeake as prize money. Mr. Higinbotham, as nearly as I can recollect, had upwards of 130 dollars.

GEORGETOWN, July 30.

*Sir*—Having perused a letter of yours to Berry, requesting information respecting the treatment of the American officers and seamen of the late Chesapeake, I consider myself bound, sir, to lay before you what came under my knowledge. My having been wounded and remaining on board the Chesapeake, might not give me that scope for observation which others possessed; but I am sorry to say *many things transpired, disgraceful to the character of a brave enemy.* Whilst undressing myself in the steerage, after the Americans were driven below or had surrendered, and after resistance had ceased, I believe entirely, several muskets and pistols were at once pointed down the hatchway, and discharged in the direction of the cockpit; and as the steerage and cockpit were filled with wounded, in all probability some of them were killed outright. It was midshipman Hopewell, and not Livingston, who was so inhumanly treated, as described in the public prints. It has been the custom in our navy, to take the side arms of officers (prisoners) but to restore them on their leaving the ship. Ours were taken, worn, and never restored, together with what nautical instruments they could lay their hands on.—When spoken to by the American officers on the subject, the answer was, *such things were free plunder.* A day or two after the action, I was conversing with lieut. Budd and Mr. Nicholls, near the taffrel, respecting the engagement, when it was observed some of the Shannon's men were listening to our conversation. Immediately after, lieutenant Faulkner, the commanding officer, ordered centinels to be placed at the mizen-mast. And, said he to them, if you see any of the Chesapeake's officers abaft the mizen-mast, cut them down; if you see them conversing together, cut them down without hesitation.

It will be remembered the three officers who caused this order, were all severely wounded. We received no caution and overheard it by accident. So great was the rage for plunder, that captain Lawrence, before his death, could not obtain a bottle of wine from his private sea stores, without a note from the doctor to the lieutenant commanding. I pass over the robbing of the midshipmen on board the Shannon, as it did not come under my immediate notice. If your request could have been made earlier, I should have felt gratified in making a fuller statement. Yours respectfully,

WM. A. WEAVER.

*Hon.* LEWIS CONDIT, *Washington.*

☞ Having now completed the publication of the documents respecting the *barbarities of the enemy*, we invite the *American*, the *man*, and the *Christian*, to review and ponder upon them. If, in either character, he can reconcile the conduct of the British with "the rule of right," we are grossly mistaken.

In our next number, or as soon thereafter as is convenient, we propose to present a very brief epitome of the facts sustained, with reference to the pages in which they are to be found at length, for common use.

This is an apt occasion to observe, that Mr. Adancourt, of *Troy*, N. Y. has notified his intention of publishing these documents, for more general circulation. It is expected they will make 200 pages; and will be sold at 87 1-2 cents in boards, or 75 cents in pamphlet form. We wish he may meet the success he deserves.

## Reasons against the War!

"*Because it has rent asunder, perhaps forever,*
"*nations of the same language, laws and religion;*
"*nations connected by the strong bonds of affinity and*
"*community of interest; and who instead of struggling*
"*for the overthrow of each other should be connected*
"*in a holy league to defend law, liberty and religion*
"*against the most unprincipled and dangerous tyrant*
"*who was ever permitted to scourge the earth.*"

If the war is indeed to make us a *separate* people, and we hope and believe that it will——if it is to "BIND ASUNDER FOREVER" the many guilty ties which have fastened us to the *Harpy* of the earth and sea, who fills remotest nations with her filth and destroys all that she touches, giving substance to fable—we say, in the sincerity of our heart, *so mote it be!* for then shall commence a golden age, and *United America* regard, as she ought, every people, as "*enemies in war, in peace friends;*" present privations being repaid a thousand-fold by the benefits that will follow our deliverance from *foreign* predilections; originating in prejudice and sustained by traffic, to the continual excitation of party broils, the consequent demoralization of the citizen and disgrace of the national character. That we do not so regard *Great Britain*, is seen in the article before us, copied from the leading *faction* print in the United States; that eulogizes (as do many others) the enemy of our country; that palliates his enormities, though of a character that would have disgraced the barbarous ages; and extols him as the "bulwark" of all that is noble, magnanimous or humane; that has no sense of *national glory*; no sympathy but for those who have "called into civilized war the tomahawk and scalping knife;" that makes a subject of laughter of women violated and children murdered, and in the conflagration and plunder of defenceless towns and villages, sees nothing to condemn! We hope and trust in God that this war is destined to make the "rent" the writer fears; and think that it will, though peace (earnestly desired) should be proclaimed to-morrow. We have seen the enemy in his true colors, and the horrible impression his conduct has made, will never be effaced: but more than this, the arrogant pretensions that preceded the war, gave birth to an *interest* which the war will nurture into manhood, that shall give the *coup de grace* to agonizing faction, now fixed on the wheel, and in horror beholding the blow aimed to terminate its existence. This interest is in our *manufactories*; it is they that shall *finish* the independence of the United States. The capital immediately appertaining to that interest amounts to some *hundreds of millions of dollars*, and it geometrically increases. *Pennsylvania* and *New-York* have more than four millions of sheep,* many of which are of the most valuable breeds. The hills of *Ohio* are covering with them, and in all of the states an extraordinary attention is paid to multiply the stock of this most profitable animal. There are large flocks of pure *Merinoes*, and probably *millions* of a mixed blood. The value of the sheep in the United States may be safely estimated at between sixty and eighty millions of dollars. As to the manufacturing establishments, we have nothing whereby to form an opinion of their value; but the capital embarked in

* Pennsylvania 1,489,948—New-York 1,230,20[illegible] more than *three years ago.*

things of the kind, great and small, is immense.—As for instance, *Pittsburg*, in Pennsylvania, manufactures goods to the value of more than a million *per annum*, and it is calculated that the accumulated capital of that town is not less than $700.000 a year, from the various fabrications. There is one concern in a neighboring state, that disburses at the rate of *seventy-five thousand dollars* a year in *weekly wages*, though the works are little more than half-finished. In *Baltimore* will be sold, the present year, goods to the value of $500,000, chiefly made in the neighborhood; and more extensive works than those in operation are erecting, the greater part of which will commence manufacturing before the next spring: and thus it is in very many other places—for you can seldom open a newspaper without seeing some new establishment announced, or *new* article of domestic workmanship offered for sale. *All these* are the growth or progress of five or six years; in the early part of which our enterprizing citizens suffered exceedingly for the want of workmen, as well to make the machinery as to manage it. *That difficulty exists no longer.* All these strike powerfully at those goods we were accustomed to receive from *England*—the effect will be felt *abroad*; and at *home* will COMMAND a disseverance of the "STRONG BONDS" that have united us to *foreigners*, and made it extremely difficult to ascertain the real difference between an *American* and an *Englishman*, in policy and conduct. May Heaven hasten the time!—we want no "BOND" with any nation—we desire "peace, commerce and honest friendship with all; entangling alliances with none," for "it is as easy for a camel to go through the eye of a needle," as for a *republic* and a *monarchy* to have a "COMMUNITY OF INTEREST."

Our "LANGUAGE" is, unfortunately, the same.—Happy would it be for *America* if this were not so, that we might know and always mark the *hostile foreigner*. But as it is, we find *England* and *Englishmen*, like the "frogs" that infested *Egypt*, (let loose upon us, perhaps, for our sins) even in our "kneading troughs"—insinuated into the deepest recesses of domestic life, by many mediums—polluting all things with anti-American ideas, and exciting the "very stones to rise in mutiny" against the genius of our government and the law of the land.

In many respects, our "LAWS" have a close resemblance, or, indeed, are the same as those of *England*. But in many essential qualities—qualities that designate the *freeman* and the *slave*,—they differ. We shall mention only one case, from on that depends a multitude of others, naturally presenting themselves. In the *United States*, it is the right of the citizen to change his rulers—in *England*, it is *high treason* to *imagine* a change!

We now come to the hobby that profligate politicians have ridden to death, so far as wicked men can destroy the ordinances of GOD,—we mean our "RELIGION," the cant of the base of all ages,—*Cromwell*, *Bonaparte* and the *Guelphs*. It is true, we have the major part of the sects that prevail in *Great Britain*, (as well as in other countries) but this is all. We have no *church establishment*—no *ecclesiastical courts*—no *tythes*—no *priests* who travel about and exact a *tenth* of the whole produce of the farmer, of *grain*, *grass*, *fruit*, *garden stuffs*, *cattle*, *poultry* or *pigs*, whether the farmer be of his church or not. No—we have nothing like this! We have no *state religion*; and therefore few knaves at the altar or hypocrites in our churches, speaking comparatively. But, by this unity in "religion," perhaps, is meant the *Protestant religion*, in general, embracing all the sects. What has *Britain* done for the *Protestant* cause? Why, she has persecuted a large majority of *her own* protestant subjects, dissenting from the dogmas of her *national church*, with inquisitorial cruelty, and yet persecutes them—and she makes war as cheerfully against *Protestants* as *Catholics*. Her present allies are understood to be *Sweden*, *Prussia*, *Austria*, *Portugal*, *Spain*, *Sicily* and *Russia*—the *two* first are *Protestant*—the *four* next *Roman Catholic*, and *the last* of the *Greek church*. She has also been allied with *Turkey*, and the *cross* and the *crescent* were united in a "HOLY LEAGUE" to put down the *true religion* of *France!*—She is at war with the *United States*, *Denmark*, *Saxony*, *Bavaria*, *Westphalia*, *France* and *Naples*; the *four* first chiefly *Protestant*, and the *two* last *Catholic*. But enough of this—the *Spirit of Avarice* with a *lust for domination*, is the god of the *British* government; at whose altar they immolate millions of human beings without remorse, not caring of what sect or persuasion they are. This is *literally* proved, as to many cases, by the *revenues they derive from the temples of Juggernaut, for permission to sacrifice* MEN *to the idol.**

There cannot be a "COMMUNITY OF INTEREST," naturally or morally, between the governments of the *United States* and *Great Britain*, for there is nothing IN the one like the other, in its constitution or objects; and as to trade, *her* interest is to obtain a monopoly of the commerce of the world; *ours*, that it should be free. *Every thing* on which her power depends is hostile to us, and there is a "community of interest" in nothing.

But we should be connected with England "IN A HOLY LEAGUE TO DEFEND LAW, LIBERTY AND RELIGION!"—Gracious Providence! of what manner of stuff are we made! A "holy league" and with *England*, the common robber, the man-stealer, the scalper of women and children and prisoners, the incendiary and the ravisher. A "holy league" and with *England*, the enemy of our fathers, and our present unprincipled foe. A "holy league" and with *England*, the cause of every war that has afflicted the civilized world for fifty years past, the common pest of society and plague of the earth. A "holy league" and with *England*, the cold-calculating assassin of thirty millions of people in *India*, the ferocious murderer in *Ireland*, the minister of famine and pestilence in *America*.† A "holy league" and with *England*, the most profligate and corrupt government in the universe, administered by the most finished villians in the world, who make a boast of bribery, laugh at fraud, and cherish all sorts of whoredoms.

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* The following is from a *Boston* paper, being part of an essay designed to prove the justice of governor *Strong's* asseveration, that "*England is the bulwark of the religion we profess.*"

"It must however be acknowledged, that *England is not very* particular *about her alliances in this matter.* While she is at war with *Saxony*, *Denmark*, *Bavaria*, &c. &c. she is *allied to Spain*, *Portugal*, *Russia*, &c. so that *France* may be considered *nearly as favorable to the Protestants* as the English, while it must be lamented that the nations appear at present to be leaving religion out of their calculations; such has been the progress of Deism and Atheism. *Still all this does not alter what* England HAS BEEN; she HAS BEEN for ages the bulwark of the Protestant religion; for no nation ever entered more lively into the Protestant interest than SHE DID!" [True—that she might make *bishops* for herself, and have a *state church* of her own.]

† 11,500 men, perished on board the Jersey prison ship, lying near New York, during the war, by famine and pestilence. Nearly the same infernal cruelty is now practiced upon such Americans as are unfortunate enough to fall into their hands.

A "holy league" and with *England*, a government so polluted, so gangrened with every abomination, that it must perish of its own action, sooner or later.—A "holy league" and with *England*, to "DEFEND THE LAW" as laid down in the *orders in council*—"LIBERTY" as enjoyed under *impressment*, and "RELIGION"—What religion? *Christian*, *Jew* or *Turk*?—of the *English* church, the *Scotch church*, the various *Dissenters*, the *Catholic*, the *Greek church*, *Mahometan* or *Pagan*; for *England* as willingly "*defends*," or *fights against*, one of these as the other. NO—"a world of ourselves" we will have no "league" with any nation, much less with one red to her arm-pits in the blood of innocence; and we say "let him be accused of all the people" that proposes, much more that attempts to effect, a "connection" with either of the governments of *Europe*, further than the relations of amity and commerce require.

We have went into an examination of the infamous paragraph that heads this article, because it is the sentiment of the *faction* that directs the movements of a very respectable party in the United States; that honest men may look at it and turn with disgust from traitors to their God and country. There is nothing very new in the matter quoted. The arch villain *Arnold* proposed just such things, and talked about "law, liberty, religion," and "*France*," in a proclamation to the people of the United States, after he had sold himself, body and soul, and received the wages of his infamy. He has had many followers; and *his* desire was once nearly accomplished, as President *Adams* has testified to the world. Since then, a legislative body went so far as to advise that we should "take *protection* under the *British* cannon, and unfurl the republican banner against the imperial standard." These are the workings of a real *British* party—and now is the time that every man who loves his country should separate himself from it. It is *sheer toryism*, and has no attribute that belongs to an honest man or a good citizen.

## The late Illuminations.

The earnestness with which I myself pour over a file of old newspapers, to fasten upon something to shew the character and manners of the people of my country in times that have past, has induced me to record many articles to gratify the same feeling in others a little while hence.

The late splendid illuminations at *Charleston* and *Philadelphia*, the first for *Perry's* and the latter for *Harrison's* victory, being handsomely described, become, as it were, a part of the history of the manners of our time, and should be preserved to remembrance. We have also added a notice of the proceedings at *New York* & *Richmond*.

ILLUMINATION AT CHARLESTON, S. C. Oct. 5. From the "Times" of the following day.—Last night, in conformity to the recommendation of the Intendant and Wardens, this city was most splendidly illuminated, in honor of the late glorious victory obtained over the enemy's fleet on lake Erie, by the gallant commodore PERRY. On this occasion some very elegant and appropriate transparencies were exhibited, with suitable devices and patriotic mottos.—Among the most conspicuous were those exhibited at the houses of major Geddes, J. B. White, Esq. and John Everingham, Esq. Major Geddes' was a large transparency, executed with great taste and happiness of design, describing the action on Erie, just at the critical and important moment that commodore Perry was passing in his boat from his own crippled vessel, the Lawrence, which had borne the fire of the whole British force for two hours, and was no longer able to fire a gun, to bring into close action the Niagara, which had suffered but little; and in which he achieved a victory unparalleled in naval history! on the upper part of the picture was inscribed, "*The Almighty has granted another glorious victory!*" on the left over the prostrate symbols of royalty, was the motto, "LIBERTY TRIUMPHANT."

Mr. White's were five in number—we will endeavor, in a few words, to give a description of them: The centre transparency, which first attracted the attention, describes the deeply interesting period when Perry, the intrepid hero of the lake, swept through the line of the enemy, spreading destruction among their shipping, (thus, in fact, forming a continuation of major Geddes's piece, and completing the history of the action;) just above this soared the American Eagle, grasping a trident, which he poises over the scene, to be disposed of according as the event of the conflict may determine, which he seemed to be watching over with parental fondness. The all-seeing eye of fate overlooked the whole, scattering the rays of truth in all directions. At the base, the appropriate words of PERRY'S communication—"IT HATH PLEASED THE ALMIGHTY."

In the west window—The genius of America, in bold and brilliant colors, trampling a lion under her feet. Motto, "*crush the monster.*"

In the east window—A female figure, representing industry, and plenty, scattering her fruits. Motto, "*plenty shall abound.*"

In the windows of the upper story were two cherubs, wrapt in light clouds, supporting escutcheons, with the names of *Lawrence*, *Ludlow*, *Burrows*, and *Sigourney*. Motto—

"There's a sweet little Cherub that sits up aloft,
"To take care of the life of poor Jack."

Mr. Everingham's transparency (which we understand was executed by Mr. Wightman, jun.) was highly appropriate: we will attempt to describe it:

On the right, a marble monument erected on a rock, on the base, "*departed heroes*"—on the top, an urn, from which was suspended by a wreath of laurels, the names of *Lawrence*, *Ludlow* and *Burrows*—over the monument, an eagle, in her talons the shield of hope with an anchor—also, a trumpet; and in her bill the motto, "*Free trade and sailor's rights.*" On the left, a naval column, rising from the ocean, with the names of "*Rodgers*, *Decatur*, *Hull*, *Bainbridge*, *Jones*, *Chauncey and Porter*," entwined around it with laurels; on the top of which a bust of *Perry*, over which was an eagle, in the act of crowning the bust with a wreath of laurel—with the motto in her bill, of "*Dont give up the ship.*" Between the monument and column, a view of the early part of the action on lake Erie, in which the *Lawrence* is seen in close combat with the *Detroit*, and the sloop *Trippe* coming round the naval column—above the naval engagement, is a likeness of *Washington* in a star, over which was *Fame* approaching the monument, and looking towards the bust of *Perry* sounding her trumpet.

The effect of these several pieces was very great, and attracted a vast concourse of people to the respective places; so much so, that a passage through the crowd was effected with difficulty.

The orphan-house made a brilliant appearance, from its extensive size, and the great number of windows which were liberally and tastefully lit up. The exchange, the banks, and other public buildings, attracted much attention. In the exchange, a superb band of music played during the evening.—We believe that the illumination of last night exceeded in brilliancy, that of March last; though much of its effect was lost by the brightness of the moon.

It is highly honorable to the city, that the greatest order and decorum was observed in the streets, though exceedingly crowded. At the appointed hour, 9 o'clock, the illumination ceased, and the inhabitants retired quietly and peaceably to their respective homes.

AT PHILADELPHIA.

Agreeably to permission granted by the mayor, the capture of general Proctor's army by the United States army under general Harrison, was celebrated in this city on the evening of the 21st Oct. by a *brilliant illumination*—the suburbs also exhibited their usual degree of patriotic feeling, and even the town of Camden (opposite) was *lit up*.

The transparencies in different parts of the city were so numerous, that it would be a vain task to attempt a particular description of them—we shall therefore notice a few only, without any design however, to disparage others

The most conspicuous we saw, were those of the house of Jacob G. Koch, corner of Ninth and Market streets—the Market street front presented five different transparencies, in front of as many large windows.

The basement story presented two; the western window contained a shaft of a fluted Doric column, round which was a scroll containing a phrase from gen. Harrison's official letter—"*It has pleased Providence;*" on the summit of the shaft was a bust, with a scroll above, inscribed "HARRISON."

On the window adjacent was a similar shaft, with a scroll containing the sentence from com. Perry's letter—"*It has pleased the Almighty,*" and on the summit a bust presented by the scroll, inscribed "PERRY."

On the middle story, west window, was a female figure, large as life, with the American shield, the stripes in the lower field, and the stars on a blue ground in the upper; beneath the feet of the figure, which represented AMERICA, was a lion crouching, with the foot of a figure on its neck; from the mouth of the figure issued a label inscribed "*Virtue, Liberty, Independence.*"

On the east window was a representation of an American general officer, and two Indian chiefs at his feet; the glittering tomahawk and scalping knife were on the ground; and from the mouth of one of the Indians issued a label with the words "*Accept our submission.*"

In the attic window was a naval trophy; the ground work the American flag, over which appeared in relief, a *pennant* inscribed "*Free trade and sailors rights.*"

The west part of Mr. Koch's house in Ninth street, was illuminated and decorated in another but elegant style; the numerous windows exhibited wax lights tastefully interspersed with *bouquets* and flower vases of a great variety of kinds, and wreaths, festoons, and garlands of laurel, myrtle, oak, palm and grape leaves.

The front of the house of Mr. Mills, architect, in George street, betweet Eight and Ninth, was beautifully illuminated; in the front there was a large transparency of military action, the flight of the enemy and the pursuit, in a very beautiful style.

At the corner of Eight and Race streets was erected a triumphal arch of about 40 feet elevation and diameter, illuminated; and bearing a portrait and emblems commemorable of the glorious events.

At the corner of Third and Chesnut, there was a very elegant transparency: a portrait of a general officer at full length, with military apparatus—this transparency was very well executed.

The theatre presented a variety of transparencies and an illumination of coloured lamps; the effect was beautiful; but only one transparency was new, the rest were from the painter's loft.

In several houses we could perceive transparencies of ships, and mottos, all significant of that event.

At the adjutant-general's office the British flag, on which was written in large characters "*taken at Erie.*" The immense crowd which was collected to see the British flag "*taken at Erie*" is inconceivable; several bands of music and companies of ladies visited this spectacle so exhilerating.

It was observed by a lady in the group, "that a "victory, like Perry's which gave security and re- "pose to 200,000 families, who had a week before "never went to sleep with the certainty of escaping "conflagration or the tomahawk until morning, was "a true occasion for rejoicing."

A tradesman's house between Third and Fourth, in Market street, displayed at every window a series of *shields* in transparent colors, on each of which was inscribed the names of some of our gallant countrymen——amongst whom were *Pike, King, Chrystie, Wools, Croghan, Johnson—Rogers, Decatur, Hull, Lawrence, Perry, Jones, Bainbridge, Chauncey, Burroughs, Allen, Moffat, Wooster, Elliott.*

Mr. Murray, engraver, had an exquisite transparency, And there were several which we should have wished to have staid and seen, but the *current of beauty* which swam along the streets, left little opportunity to dwell for any sufficient time on the transparencies generally.

The town at 10 o'clock, displayed a scene of silence and tranquility, such as no city or country in the universe could shew the like; it was not the sullen command of despotism or the agonizing *curfew*, that bade slaves retire to darkness and sorrow; but a free and happy people, elated by the glory and safety of their country, and the achievments of their gallant defenders, entering with the ardor of honorable virtue into the celebration of their happiness, and vindicating their claim to the eternal enjoyment of their liberties and right, by a reverence for social order. Philadelphia, at half an hour after exhibiting the streets crowded with beauty, in numbers equal at least to any city of the world, was as quiet and undisturbed by the footsteps of the passenger, as the priaries of Louisiana—it was an exquisite sensation to view at half past nine o'clock, the gay, giddy, cheerful, happy, innocent crowd, pressing without rudeness or ill nature along the well paved footways—in an hour all disappeared—the windows, which were illuminated with joy, had discharged their tribute to public gladness—they were now dedicated to silence and repose—the streets presented their accustomed appearance, and the lamps seemed reluctant to show the passenger his way, jealous of the blaze that had concealed their usefulness the preceding part of the evening. *Aurora.*

AT NEW-YORK.

On Saturday evening, October 23, pursuant to a resolution of the common council, the *City Hall* was illuminated in honor of the recent successes of the American arms in Upper Canada. That magnificent structure, by far the most splendid pile of architecture in America, and not exceeded by many in Europe, was lighted throughout its spacious front, (comprising upwards of fifty windows and divisions in the portico) to the tower or cupola on the centre, as well as in its extensive wings, containing about thirty windows. The transparent naval paintings used at the former celebrations in the city hotel were here displayed, with the addition of the dying injunction of the gallant Lawrence, "*dont give up the ship.*"

*Tammany Hall* next claimed the attention of the thousands of admiring spectators. Over the principal entrance of this building was exhibited a well executed emblematic transparency, painted by Mr. Holland, representing the indian chiefs surrendering to general Harrison, soliciting peace, and delivering their women and children as hostages, with a view of the battle of lake Erie, and commodore Perry leaving his ship for the Niagara.

The *Theatre* presented a transparent painting, exhibiting the American eagle spreading over a considerable portion of the globe, and pointing with its beak to the motto from Perry's immortal despatch, "*We have met the enemy, and they are ours.*" The front of this massy edifice was ornamented with variegated lamps.

The *Naval Panorama*, next adjoining, exhibited a mechanical transparency, representing, in continual and rapid motion, a *Hornet* striking a *Peacock* in its breast, with other figures and suitable devices and inscriptions.

At the *Debtor's Prison*, in letters of fire, appeared "*We have met the enemy, &c.*" *Go ye and do likewise.*

Washington and Mechanics'-Halls were illuminated. The custom-house also, and the different hotels, public houses, and markets, joined in the brilliant and gratifying display.

From the battery was seen two of commodore Lewis's gun-boats, superbly decorated with lamps of various colors. The commodore's barge was ornamented with patriotic transparencies, and in the course of the evening, a discharge of rockets from his boat enlivened the scene. [*Columbian.*

AT RICHMOND

The illumination took place by recommendation of the mayor as follows——

FELLOW CITIZENS—Again "BY BLESSING OF PROVIDENCE," WE ARE VICTORIOUS The complete victory obtained over the combined Indian and British forces, under the command of general Proctor, who has himself doubtless ere this graced the triumph of our most gallant general Harrison, will give us entire possession of the Canadas; and operate more powerfully to the restoration of peace, than the mediation of any power on earth. Give vent to your feelings; think of Perry who paved the way, of Harrison, whose intrepid valor has thus so nobly achieved the victory. Let an illumination generally take place throughout our city on the evening of tomorrow, under this restriction only; that by ten of the evening, they be all extinguished—the safety of our city requires, that I should urge this precaution —when it is most ardently wished, that every citizen will retire with grateful hearts to their respective abodes.

Doubtless every patriotic sentiment will lead our citizens to concur in this recommendation. But let the houses of absentees, of orphans, &c. which may not be lighted on this memorable occasion, be respected.

*Mayor's office,*
*Sunday evening*, 10 *P. M.*
ROBERT GREENHOW, Mayor.

The following account of it is from the "*Virginia Patriot*," a "federal" paper:——

*The illumination*, in this city, on Monday evening last, was by far the most splendid we have ever witnessed, and in every respect suited to the occasion. Before the sable clouds of night had enveloped the the city in darkness, the illumination commenced, and the names of "Perry, Harrison, and Chauncey," soon shone with distinguished lustre in every quarter. Every thing like base, sordid avarice yielded to the finer feelings of patriotism; and with few exceptions, a just sensibility pervaded every bosom Many transparent and appropriate paintings presented themselves to the view; but it would be invidious to notice the exertions of any particular individual, where all performed their duty. To crown the climax, and give a zest to joy, the ladies of Richmond, were seen descending in lovely groups from Shockoe Hill to the main street, there to ornament and embellish the scence. The most perfect harmony and good order prevailed; and the ladies roamed about in full security, free and undisturbed: In short, but one sentiment seemed to exist: the sunshine of joy and exultation illuminated every countenance, and none was found

"So lost to virtue, lost to manly thought,"

as to dare interrupt this delightful banquet of the mind, by the least improper conduct. To be sure, the civil authority, much to their credit, took every necessary step to prevent disorderly behaviour; but we rejoice to say, sensual pleasures were forgotten, while the names of "Perry, Harrison and Chauncey," dwelt on every tongue. At nine, the streets were generally clear of the crowd, and at ten o'clock, agreeably to the mayor's request, every light was extinguished.

## Commodore Chauncey.

FROM THE NATIONAL ADVOCATE.

As this gallant and able officer has been subject to much criticism and some obloquy, we deem it but justice to give the following rapid and concise sketch, by which the importance of his services may be in some degree estimated

On the 6th October, 1812, commodore Chauncey arrived at Sackett's Harbor as commander of the United States' naval forces on the lakes Ontario, Erie, Huron, Michigan, &c. at which time the only vessel owned by the United States on the waters was the brig Oneida. He immediately purchased all the merchant vessels, and fitted them as gun-boats, and on the 8th of November sailed in pursuit of the enemy with the Oneida and six schooners, and having fallen in with the Royal George on the 9th, chased her into the bay of Quinte. In the night he lost sight of her, and the next day chased her into Kingston, and engaged her and the batteries for an hour and a half, until he was obliged to haul off by the violence of the wind. On the 12th he chased the Earl Moira into Kingston, and captured the transport sloop Elizabeth with captain Brock of the 49th British regiment, which was under convoy of the Earl Moira. On the 10th, he took off Kingston, the schooners Jane and Mary Hart, the former of which was burnt. The enemy were kept blockaded in Kingston until the 7th December, at which time com. Chauncey returned into Sackett's Harbor, being no longer able to keep the lake on account of the ice. On the 26th of November, the ship Madison was launched, having been built in 45 working days. He then proceeded to Erie, and purchased all the private vessels on that lake, and made preparations for building two sloops of war. From thence he came to this city, made contracts for building on both lakes, and sent on the carpenters and other mechanics necessary for that purpose to Erie.

On the ninth of April, the keel of the General Pike was laid, and she was launched on the 12th June; during which time the commodore had also sent carpenters to Black Rock, who fitted out and repaired five vessels at that place, which were sent to Erie. The General Pike sailed in 100 days from the time her keel was laid. On the 27th April our squadron captured at York the brig Duke of Gloucester and 20 boats, and destroyed a ship on the

stocks which was intended to mount 28 guns, and carried away an immense quantity of shot, shells and other munitions of war. In June they also captured the transport schooner Lady Murray, laden with provisions and munitions of war, and several soldiers of the 8th British regiment.

When commodore Chauncey assumed this command, a year since, the enemy's force upon lake Ontario consisted of six vessels, mounting 80 guns; upon lake Erie five vessels, mounting 50 guns.—The guns, munitions, and every article for the armament and fitting our vessels, were transported from the city of Philadelphia, as well as the officers, seamen and marines.

Mark the result! On Erie the enemy's squadron has been all captured by an officer selected by commodore Chauncey. On lake Ontario, he has recaptured the two vessels which were taken by the rashness of their commanding officers, and captured a flotilla of the enemy's transports with a large body of troops on board, and convoyed our troops from fort George to Sackett's Harbor, besides what we have before stated. He has endeavored by every means in his power to bring his vaporing adversary to battle—but the latter as constantly evaded the contest, which he has been enabled to decline by his vessels sailing better *in squadron*.

*From a Baltimore paper of July* 16, 1807.

A very short time since, capt. Chauncey returned from a voyage to the East Indies, which, under a furlough he had made as a private citizen. On the passage home in the Indian Ocean he was brought to by a British ship of war of 64 guns, and a lieut. and 10 or 12 men sent on board his ship. The British officer, an impertinent puppy, without even saluting capt. C. as a person having any pretensions to gentility would have done, immediately ordered one of his men to stand by the helm. Capt. C. justly offended, told his sailor to knock any man down who attempted to take his place without his (Chauncey's) orders. The attempt was made, and the English sailor, by prostration, paid his tribute of veneration to the nerve of the yankee. The lieut. now ripped out as many handsome oaths and threats as a person could wish, and advanced to take the helm himself—Chauncey stepped before him, and upon the Englishman's laying his hand upon it, seized him by the scruff of the neck and threw him overboard into the boat. Upon this the lieut. and his men went off, and capt. C. was presently boarded by 60 or 70 men, among them the first officer of his majesty's ship, who abused capt. C. in words not a little, for his treatment to the lieut.; who replied, I treated the puppy as he deserved. He either did not know his duty and the manners of a gentleman, or would not exercise them. You have now a superior force on board the ship—do what you please. Capt. C. then went on board the man of war, where he received some more compliments from the commodore, to which he replied in the same manner; without giving way one inch to that haughty spirit which characterises too many of the officers of the British navy. This spirit probably preserved him from the effects of their violence, and he was dismissed as the d——dest obstinate yankee rascal they had ever met with, without their knowing him as any thing else than the master of a common East Indiaman.

Previous to leaving the British ship, capt. C. very leisurely took a memorandum of the officer's names who had insulted him, saying, "perhaps I may come athwart you some day, when you shall know who and what I *am*."

## Commodore Oliver Hazard Perry,

Who by his late brilliant achievement on lake Erie, has secured to himself the proudest niche in the temple of Fame, is the eldest son of Christopher Raymond Perry, esquire, formerly of Newport, Rhode-Island, but for some months past a resident of this town. He commenced his naval career about the year 1793, as a midshipman, and served in that capacity a considerable time on board the General Greene, of 32 guns, commanded by his father, and employed principally on the Havanna station. On the reduction of the navy in 1801, many officers were thrown out of the service; but young PERRY, notwithstanding the comparative inactivity of peaceful times, perseveringly continued in the profession he had chosen, passing through the various grades of promotion until we find him in the winter of 1810-11, lieutenant and commander of the Revenge schooner, attached to commodore Rodgers' squadron, which wintered that season at New-London. Here he was continually under the eye of that able and accomplished officer, and received from him a full share of that confidence which he so eminently merited. A misfortune, however, overtook him while on this station. The Revenge, in returning from Newport to New-London, in thick weather, struck on Watch-hill reef, and went to pieces; but the crew were all saved, with most of her armament. As is usual on such occasions, a court of inquiry was instituted to investigate lieutenant *Perry's* conduct in that affair, and the result was a most honorable acquittal.

Lieutenant Perry was afterwards invested with the command of the United States' flotilla at Newport, where he continued until some months after the breaking out of the present war, when he was appointed, with the rank of master and commander, to the command of the naval forces on lake Erie, which at that time consisted of a very few small vessels only. And here his astonishing assiduity and unconquerable perseverance shone forth with a splendor which fairly augured a brilliant result to all his complicated labors in the building and equipment of a force sufficient to cope with that of the enemy. Every nerve was strained for the purpose, artizans and sailors were sent from the Atlantic states, and we at length behold him sally forth to victory and to glory.

The importance of the late victory is immense, and the public joy on the occasion has been completely and unequivocally manifested by the sound of artillery, the chiming of bells, and brilliant illuminations from one extremity of the country to the other.

Commodore Perry has three brothers also in the navy, two of whom are lieutenants on board the President; and the other, the youngest, about thirteen years of age, was on board the Lawrence, serving as a midshipman in the late glorious battle, and was the only one of that class of officers who was not either killed or wounded! It seems, in fact, almost a miracle that in the midst of such horrible carnage, when so many gallant fellows took their way to the "world of spirits," both the brothers should escape unhurt.

Commodore Perry is now but little more than twenty-eight years of age, having been born in August, 1785. [*Norwich Courier.*

# Events of the War.

## MISCELLANEOUS.

There is now great sensibility in the *faction* prints about the employment of the *Indians* against those who placed the tomahawk in their hands.—Debased

creatures, that never published one line of remark on the murders they committed on their own fellow-citizens; but concealed their cruelties or made a savage jest of them.

*Glorious* HARRISON. The following general order, issued on the day of the debarkation of our troops into *Canada*, is one of the "unkindest cuts" the "*bulwark of our religion*" ever received, if there remains one particle of shame in her system:

*Head-Quarters on board the Ariel,*
*September* 27, 1813.

GENERAL ORDER.

The general intreats his brave troops to remember that they are the sons of sires whose fame is immortal: That they are to fight for the rights of *their* insulted country, whilst their opponents combat for the unjust pretensions of a master.

KENTUCKIANS—remember the river Raisin; but remember it only whilst the victory is suspended.—The revenge of a soldier cannot be gratified upon a fallen enemy. By command,

ROBERT BUTLER, *A. Adj. General.*

General Harrison (says the *Democratic* Press) has added a new manœuvre to the science of military tactics—the charging bayonet on horse back; which may afford some ingenious Englishman an opportunity of discovering a method of counteracting it, just as captain Manby has explained to the enlightened John Bull the American secret of conquering at sea.

"General Harrison's detailed letter (says the *Richmond Enquirer*) tells us every thing that we wish to know about the officers *except himself.* He does justice to every one, but to Harrison—and the world must, therefore, do justice to the man who was too modest to be just to himself. We ask what heart is there that does not bow with gratitude to the gallantry of Shelby, who has shone in *two wars*, and of Perry, who conquers on both elements."

*A British major.*—The following gasconading notice was sent out to judge Moore, of Champlain, by major Perreault, who commands about sixty Canadians and indians at Odletown. A few nights previous to the promulgation of this petty mandate, our militia had attacked a picket near the lines, which so excited the ire of the British major, that he issued, without delay, the following "*humane advertisement.*"

"LA COLE, 10th October.

"*Citizens of Champlain!*—I am happy that humanity should still have so much power over me so as to inform you that should any of the militia of Champlain, be found hovering this side of the line, I will let loose upon your village and inhabitants, the Canadian and indian force under my command. You are probably aware that it has been with the greatest difficulty I have till now withheld them. But your cowardly attack at midnight, of a small picket of ours, has torn asunder the veil which hid you from them.—So beware!

J. PERREAULT, *major commanding ad. post.*

"P. S. Major Perreault would be obliged to the honorable judge Moore, to acquaint the citizens of Champlain of the tenor of the above humane advertisement.

The *Salem* Gazette of the 22d instant, thus announces *Harrison's* victory—

"At length the *handful of British troops*, which for more than a year had *baffled the numerous armies of the United States*, in the invasion of Canada, *deprived of the genius of the immortal* BROCK, have been obliged to yield to superior power and numbers."

The *Boston Daily Advertiser*, of the 23d, on the same subject, says—

"*We shall surrender all our conquests at a peace. It is indeed a hopeful exploit for Harrison, with five thousand troops, who have been assembling and preparing ever since July*, 1812, *to fight and conquer four hundred and fifty worn out, exhausted British regulars, whom the indians had previously deserted.*

"Does this wipe away the disgrace of the surrender of Hull, of 2000 to 1400—or of Winchester's defeat, or of Clay's destruction?"

A late *London* paper says—"On the passage of the *Frolic*, captain Mitchell, to Portsmouth, from the Downs, she made her number to the Niobe, captain Montague, which ship is in attendance to H. R. H. the duke of Clarence, at Brighton. As soon as his royal highness understood it was the Frolic which had been captured by the American sloop of war Wasp, he expressed a wish to go on board of her, which he did in two hours afterwards, and held a levee. The officers were introduced to his royal highness, and complimented on the native gallantry they had displayed."

[Now what would "his royal highness" have said, if the *Frolic* had taken the *Wasp?*]

*From the London Sun of August* 13.—In our last page we have given some curious extracts from the American papers. American honor is as distinguished on land by the service of officers on parole, *not* to serve, as her courage is conspicuous on the seas by her *largest* frigates running away from the British *smallest*, mistaking them (fear is a great magnifier of objects) in the mist for *seventy-fours.*

"The capture of the *Argus* is the second lesson of inferiority. The Yankees said they wanted a few besides the *Chesapeake.* Why don't they come fairly to the task? They would soon have knowledge beaten into them."

["Fame let thy trumpet sound,
"Tell all the world around"

That a *British* sloop of war captured an *American* brig, after almost an hour's hard fighting.]

It appears the British are now building ninety-six vessels, to carry in the whole, according to rate, 4048 guns—eight of them are first rates—fourteen 74's, six 50's, twenty-five frigates, &c.

Among the prisoners on board the ship *Detroit*, captured on *Erie*, were two indians who had been placed in the tops at the beginning of the action, but skulked below on the first broadside from the *Lawrence.* Commodore *Perry* asked one of them, who could speak a little English, what he had been placed there for?—he replied "*to shoot Yankees.*"

CAPTAIN ALLEN, late of the U. S. brig Argus.—The following is from an Irish newspaper. From the amiable character of the deceased, as well as from the distinguished humanity that has marked the whole proceedings of our seamen, we cannot doubt the literal truth of the fact. How unlike the conduct of the enemy, for whom many in the United States claim every ennobling quality, and contend that the good actions of our people are mere copies of British magnanimity! Where shall we find any thing like this? *Aristides* and *Rhinaldini!*—The officers of the United States' sloop of war Wasp, captured by the Poictiers, were rifled of every thing—those of the *Chesapeake* were compelled to attend the funeral of their late commander in the very clothes they fought in, having no change of raiment left them; and the dying *Lawrence* hardly got a drop of the wine that had belonged to his private stores, to cherish expiring nature! *Cockburn*, an ADMIRAL, a very thief, did deeds on the shores of the *Chesapeake* that a plunderer of the *Pyrenees* would have thought beneath him. In the whole of our *acquaintance* with the enemy, we have found but two officers worthy of comparison with our common privateersmen; they are sir *Thomas Hardy*, of the Ra-

milies, and captain *Byron*, of the Belvidera. We mention them with pleasure; for they stand like *Lots* in hortid *Sodom*, to intercede for a race of monsters. See page 142.

"It would be injustice not to notice the excellent conduct of captain Allen, of the Argus. He allowed the passengers and crews of the Betsey and Mariner to remove every article of their private property; and in order that they might have liberty to do so, he would not suffer one of his officers or crew to be present below whilst they were employed in packing up their effects. Captain Gilbert, of the Mariner, had left some articles of cabin furniture behind, which captain Allen sent after him in his boat. A great coat, belonging to an officer of one of the captured ships, was missing, and it was found in the possession of one of the crew of the Argus. Captain Allen immediately ordered the man to be tied up, and he actually received a severe flogging. Considerable sums in specie were saved by the passengers, as captain Allen would not allow his men to touch a single article."

The greater part of the British vessels of war lately at *Halifax*, have left that port, destination unknown—supposed for the *Chesapeake*.

## MILITARY.

No certain accounts of the movement of the northern army under *Wilkinson*, has yet reached us. We have a report that the whole force sailed from *Sackett's Harbor* on the 13th inst. Destination unknown.

We have nothing important from the *Creek* country; but from the arrangements made, we expect immediately to hear that the *British allies* in that quarter, who formed a "*holy league*" to murder and destroy, are also on their "beam ends."

From a statement made in the Kentucky Gazette of the 12th instant, it appears that that state has sent to the frontiers since the declaration of war, no less than *seventeen thousand, three hundred and seventy-five men!* What an exertion for a country that twenty or thirty years ago was a wilderness!—Kentucky has lost many of her choisest sons in this conflict, but her zeal and courage is unabated. She has now at least 7000 men in the service—in *Canada* or on its frontier.

On the 20th inst. the troops under gen. Hampton, then at the "Four corners Chataugac," drew six days provisions, and were on the eve of a march.

The 1st and 3rd regiments of Vermont militia, stationed at *Burlington*, were reviewed by brig. gen. Parker on the 15th, who dismissed all the next day except those that had volunteered to enter the enemy's country.

The Burlington paper tells us that *Hampton* has in custody several *curious* persons, who had been lurking about his army.

"From private letters received in this city (says the National Intelligencer of the 28th) from the north, we learn that gen. Wilkinson has been very ill at fort George. He moved with the troops from that place to Sackett's Harbor, and, at the last dates from the latter place, was still indisposed, but not so much so as to prevent his commanding the contemplated expedition—which has been much delayed by circumstances that no human ingenuity could control. If commodore Chauncey could have succeeded in destroying the British fleet, as was expected, our work would have been easy. No fault is attributable to him—he has done all that could be done, as his antagonist had the heels of him, and always availed himself of the advantage his superior sailing afforded him. We must soon expect something interesting from that quarter."

*Extract from a late Montreal paper.*

"His royal highness the prince regent, in the name and on behalf of his majesty, has been pleased to appoint the following officers to take the rank by brevet, as undermentioned:—

*To be major-generals.*—Colonels Duncan Derrack, John Vincent, 49th regiment; Robert Lethbridge, infantry field officer; Henry Proctor, 41st; A. Halckett, 104th; L. De Watteville.

*To be colonels.*—Lieutenant-colonels W. Douglass, 98th regiment; H. Scott, 103d regiment; J. B. St. George, infantry field officer; J. Menron."

*Copy of a letter from brigadier-general Parker to the Secretary at war, dated*

BURLINGTON, October 19, 1813.

SIR—I have the honor to enclose you a communication from colonel Isaac Clarke, dated the 15th inst.

The expedition appears to have been well concerted and happily executed, for which the colonel deserves great credit.

On our part none were killed, and only two wounded, neither of them dangerously.

I have the honor to be, very respectfully, your obedient servant, THOMAS PARKER,

Brigader-general commanding.

The hon. John Armstrong,
Secretary of war.

*Extract of a letter from colonel Clark to brigadier-general Parker, dated*

Camp Shazey-Landing, Oct. 15, 1813.

It is with great pleasure I can inform you of a successful attack upon the enemy at Massesquoi bay on the morning of the 12th inst. (after detailing his approach to the enemy which evinces an excellent knowledge of the country, the colonel states:) At this time I had only the riflemen with me, the artillery moving slow and the militia protecting their rear. We proceeded to the village (Massesquoi) and arrived within fifteen rods of the enemy before we were discovered. We found them draw up under major Powell in a manner that would have annoyed us much had we attacked them by water, but wholly unprepared to defend themselves on the land side; they commenced a fire on the left flank, but in ten minutes after the first attack they laid down their arms and surrendered themselves prisoners of war.

Understanding that a force of 200 men under col. Lock was marching to attack us, I dispatched capt. Finch with his company to reconnoitre them and ascertain their course. He proceeded with such promptness and ability as to surprise and capture the advanced guard, consisting of cavalry, excepting one man who escaped, and, giving the information, the enemy retreated.

The prisoners were then put on board our boats and sent to Burlington.

Our whole force engaged was one hundred and two—the number of prisoners taken is one hundred and one, their killed nine and wounded fourteen.

I am, sir, with great respect, your obedient servant, ISAAC CLARK.

*Brig. Gen. Parker,*
*commanding at Burlington, Vt.*

BUFFALO, October 19.

*Extract from a letter, dated Fort George, October 17.*

"On the 11th inst. we marched out with a force of eleven hundred, inclusive of Indians to see what had become of the gallant Vincent. But we found that he had absconded precipitately, burning all the public property he could reach. From the best information there can be no doubt but that the appearance of the militia, who were supposed by the enemy to amount to 5000 men, and the employment of the Indians, struck terror to their souls and caused their retreat. We marched to the Twelve Mile Creek, and were pursuing the rear guard of the enemy, who were about two hundred strong at the For-

ty, with baggage and sick. But the movements of col. Scott, who gave us notice that he was about to quit this fort, compelled gen. M'Clure very reluctantly to give up the pursuit. We took a circuit through the country to Chippewa, and thence to this place. We have collected immense quantities of public stores—perhaps 1000 barrels of flour, 3 or 400 stand of arms, 500 hides, tallow, bread, hats, &c. The conduct of the Indians ought to silence the British pretext of not being able to restrain them. The address of gen. M'Clure is a sufficient comment on their conduct. We have a party now out. Col. Chapin is with them. We look for news from them every moment."

The 23d infantry and all the light artillery, have left fort George and taken up their line of march for the eastward on Thursday last, col. W. Scott accompanied them; but we do not learn that gen. M. Porter has left fort Niagara.

We learn that col. Grieve, with the 7th regt. of state artillery, is on his march for the frontier.

## NAVAL

The enemy has again appeared in *Long Island sound*, and took or burnt a few small vessels. Com. *Lewis*, with his flotilla of gun boats, left New-York to repel them on the 21st inst.

We have nothing interesting as to the blockades of *New-London* or the *Chesapeake*, except every reason to believe that a fleet of *Baltimore* privateers and letters of marque got safely to sea some days ago. The enemy will soon hear of them and feel them. Among them are some of the best vessels of their class, in the world, strongly manned with as brave men as are brought down the bloody flag of *England*.

By a letter from *Gloucester*, C. H. Va. it appears that *all* the vessels were not out on the 23d instant; three of them were in the neighborhood of that place. A regiment of militia with a proportion of cavalry and artillery, had been called called out to assist them if necessary; they wait for a gale of wind.

Of Captain Porter, who left the Delaware October 25, 1812, in the *Essex* twelve months ago, we have the following account, communicated to the editor of the *Democratic Press*, in an extract of a letter from Boston, dated October 21—It is what the printers call "round about," but may be true:

"A gentleman dined with me yesterday, who is of Norfolk, his name Banks, he had just arrived from Havanna. He informed me that in the middle of August last, he was in Jamaica, where were three or four gentlemen, masters of vessels, who had been captured by *captain Porter of the frigate Essex*, and carried, ships and cargoes, into Lima. When they had been liberated they travelled on mules across the southern continent to Porto Bello, on their way to England. They had been commanders of South Sea ships, engaged in the whale fishery, &c. *Captain Porter* was in fine health, as was all his ship's company. Frigate and crew in excellent order. He had with him an excellent man of war brig which he had taken and officered, and manned her by new enlistments, and kept her in company for cruizing. She was a very fine vessel. He got at Lima all supplies. He had, as those English masters expressed it, "gutted many vessels, and had much property on board." He was endeavoring the sale of the captured ships, but, was not permitted: it was, however, expected he would accomplish it."

Two elegant gallies were launched at *Plattsburg*, lake Champlain, on the 9th instant. On the next day, two long 18 pounders were mounted upon them, and they proceeded directly after to the foot of the lake under the command of commodore M'Donough.

*Copy of a letter from commodore Chauncey to the secretary of the navy, dated*

United States' ship General Pike,
Sackett's Harbor, 8th Oct. 1813.

Sir,—As soon as the last of the flotilla with the troops cleared the Niagara, I proceeded in quest of the enemy. On the 2d instant, at 10 A. M, discovered him steering a course for Niagara with studding-sails and all sails set, wind from the south and westward; we made all sail in chase, but as soon as we shot out from the land so that he could fairly make us out, he took in studding-sails and hauled upon a wind to the westward and made all sail from us; the wind being light all day we made but little progress against the current, and at sun-down the enemy was off Twenty Mile Creek and had evidently gained considerably from us. During the night the wind continued so light that we altered our position but very little, and at day-light on the 3d saw the enemy at anchor close in the island between Twelve and Twenty mile creek; as soon as he saw us he weighed and made all sail to the westward, wind from south to south-west and squally. I made all sail in chase, and continued the chase the whole day, it blowing very heavy in squalls; at sun-down we could barely make him out from the mast-head when he appeared nearly up to the head of the lake; it continued squally with rain and the night very dark; at day light on the 4th hazy, could see nothing of the enemy—continued working up for the head of the lake; towards meredian it became calm, I ordered the Lady of the Lake to sweep up to Burlington Bay and ascertain whether the fleet was there—at half past 9 P. M. she returned with information that the fleet was not there. Saw but two gun-boats. It struck me at once that he had availed himself of the darkness of the preceding night and had either run for Kingston or down the lake for the purpose of intercepting the flotilla with the army. I therefore made all sail and shaped my course for the Ducks, with a view of intercepting him or his prizes if he should have made any. The wind increased to a strong gale from the northward and westward and continued during the whole day on the 5th, we therefore made a great run, for at 1 P. M. we passed Long Point; at 3 discovered seven sail near the False Ducks; presuming them to be the fleet made sail in chase; at 4 made them out to be sloops and schooners. I made the signal for the Sylph and the Lady of the Lake to cast off their tow, and chase N. E. soon after perceiving the enemy separating on different tacks, I cast off the Governor Tompkins from this ship, gave the squadron in charge of captain Crane and made all sail in chase; at 5 the enemy finding us to gain fast upon him, and one of his gun-vessels sailing much worse than the rest, he took the people out and set her on fire. At sun-down, when opposite the Real Ducks, the Hamilton, (late Growler) Confiance, (late Julia) and Mary Ann, struck to us. The Sylph soon after brought down the Drummond, cutter-rigged. The Lady Gore run into the Ducks, but the Sylph (which was left to watch her) took possession of her early the next morning. The Enterprize, a small schooner, is the only one that escaped, and she owed her safety to the darkness of the night.

Finding much difficulty in shifting the prisoners, owing to the smallness of our boats and a heavy sea, I determined to take the prizes in tow and run for this place and land the prisoners and troops that I had on board. We arrived here at day light. On the 6th, the Lady of the Lake having towed one of the prizes in, I dispatched her immediately to cruise between the Real and False Ducks. She returned the same afternoon, having discovered the enemy's squadron going into Kingston.

I have repaired the principal damages sustained by this ship in the action on the 28th ultimo, and have put a new fore-mast into the Governor Tompkins. We are now ready and waiting the movements of the army which is contemplated will leave here on the 10th.

The vessels captured on the 5th are gun-vessels, mounting from 1 to 3 guns each, with troops from the head of the lake (but last from York) bound to Kingston. We learnt from the prisoners that the enemy was very much cut up in their hulls and spars, and a great many men killed and wounded, particularly on board the Wolfe and Royal George. I inclose herewith a list of the prisoners* taken on the 5th.

I have the honor to be, very respectfully, sir, your most obedient servant. ISAAC CHAUNCEY.

*Hon. William Jones,*
*Sec'ry of the navy, Washington.*

## American Prizes.

WEEKLY LIST—CONTINUED FROM PAGE 136.

"The winds and seas are Britain's wide domain,
"And not a sail, but by *permission* spreads!"
*British Naval Register.*

631. "*His majesty's*" packet Morgiana, 18 guns, 9 pounders, two of them long brass pieces, 50 men, burthen 400 tons, captured by the privateer Saratoga of 4 guns and 116 men, by boarding. [The Saratoga, chased by a frigate, had been compelled to throw overboard 12 of her guns previous to the action, but took the brass pieces from the packet and continued her cruise.] The Morgiana was obstinately defended—had two men killed and five wounded, among the latter, the captain severely. The Saratoga had three men killed and seven wounded. Before the Morgiana struck she threw over the mail. The prize has arrived at Newport, R. I. where her late captain has publicly offered his thanks to the prize-master for his humanity, &c.

632. Ship —, captured by the Saratoga and burnt.

633. Brig —, captured by ditto and ditto.

634. Schooner ——, of 130 tons, from St. Johns for the West-Indies, sent into Machias, by the privateer General Stark.

## THE CHRONICLE.

*Vermont election.*—There was no legal choice of governor by the people at the last election. Mr. *Galusha* (rep.) had a *majority* of 296 over Mr. *Chittenden* (fed.) but not a plurality of all that were given, and the choice was decided by a joint ballot of the council [or senate] and assembly. The council, elected by a general vote of the people of the state, consists of eight republicans and four federalists, the assembly of 109 federalists and 103 republicans. On the joint ballot, Mr. Chittenden (fed.) had a majority of three votes, and is governor of *Vermont*.

☞ There is a special law in *Vermont* providing that citizens of the state, belonging to the army, may vote in any part of the state for state officers; but all such votes were thrown by as illegal. It is stated that *Vermont* has from 2 to 3000 citizens in arms.

DELAWARE ELECTION.

| *Counties.* | | *Rodney.* | *Riddle.* |
|---|---|---|---|
| New-Castle, | | 1128 | 2033 |
| Sussex, | (*majority*) | 1114 | 00 |
| Kent, | (*do.*) | 662 | 00 |
| | | 2904 | 2033 |

Mr. *Rodney* is a "federalist." As many do not know that there are two families of the *Rodneys* in Delaware, who have never agreed on any political question since 1775, it may serve the public information to state, that the Mr. *Rodney* elected is of the opposite line to the late attorney-general of the United States.

The legislature of *New-Jersey*, met at Trenton on the 26th. In the council, Charles Clark (rep.) was elected to the chair without opposition. In the house the votes were, for Bateman (rep.) 20—Pearson (fed.) 11.

"The St. Mary's (*Md.*) return is deemed illegal, as the law expressly says that the levy court of the county, in the month of August, yearly, shall appoint the next ensuing judges, and that judges must be sworn in on the day of election, first Monday of September, by a magistrate, and if no magistrate is at hand, the first named judge is to swear in himself and he to swear the two assistant judges; no commission however, issued from the levy court, and the last year's judges undertook to open the poll and make the return without any swearing in." [*A. Her.*

*Flour at Salem, Massachusetts,* October 20, $17 per barrel.

A trading vessel on *Erie*, belonging to Mr. Park, of Buffalo, was wrecked near the town of Erie on the 10th inst. There was a dreadful gale on the lake that day, with a fall of snow about three inches deep. It was thought that some of the vessels of *Perry's* fleet may have suffered.

LATEST FROM MEXICO.

*Alexandria, (Louis.) Sept.* 4—The unfortunate sufferers are coming in daily. It appears that, much to the astonishment of all, Elesondo has liberated the Americans taken prisoners in and after the action. No parole was required; he advised them never to take up arms against the royalists again, unless by approbation of the American government, of which he spoke with much respect and intimated that an expedition under the patronage of government, would have his co-operation—He treated the Americans with humanity and supplied them with provisions for their return home; but most of the Spanish prisoners were shot.

General Toledo arrived here on Monday evening last—he has the entire approbation of the officers and men generally, and no doubt is entertained that he was eminently qualified to do justice to the command, and, had his orders been obeyed, would have led the Patriots on to triumph and to glory.

There is no kind of doubt, that at the time of retreat, the Patriots had much the advantage, and, could the officers have rallied them, their triumph would have been complete. It is stated that the royalists lost upwards of 700 and the loss on the part of the Patriots did not exceed four hundred.

## POSTSCRIPT.

We have an arrival from Leith at Boston, that brings London dates to the 7th of September.

We have reports (and nothing but reports) of a great battle, fought between the French and the allies near *Dresden*, about the 20th of August, in which both claim the victory. One account, however, definitely states that *Bonaparte* had got a complete victory, and entered *Berlin*, on the 24th or 25th of the same month.

This is also announced by the minister of the police at *Paris*, but he gives no particulars. We believe it, because a depression of the funds was felt at *London*.

We have never seen so much *stuff*, with so little point. It only *certainly* appears, that Austria is at war with France, and there has been a dreadful battle.

*This list is already inserted, see page 136.

# THE WEEKLY REGISTER.

SUPPLEMENTARY TO NO. 9, VOL. V.

*Hæc olim meminisse juvabit.*—VIRGIL.

Printed and published by H. NILES, South-st. next door to the Merchants' Coffee House, at $ 5 *per annum.*

## Hamilton's Report.

☞The editor presents this supplement to his patrons chiefly to get in, and keep in one body, a considerable portion of Mr. *Hamilton's* celebrated report on the manufactures of the United States, laid before congress in 1790. This interesting document forms an important part of the *history* of our country in one of its [now] most valuable concerns; and we think will be read with no common attention. It deserves this—both on account of the intrinsic merit of the report itself, as because of the many curious facts it brings to the recollection, to shew the mighty changes that have taken place in the short period of twenty-three years—changes that the most visionary never imagined could so soon be brought about, but in which were the hopes of the patriot ever since the revolution. From what has happened, we look forward with confidence to the future; and indulge a belief that the *real independence* of the United States is at hand. This voluminous article (making nearly 100 pages of a common 8vo. volume, but which we shall get in in less than *thirty*) is one of those originally promised in the prospectus; but has for some time been purposely delayed as the immediate precursor of a report on the *actual* state of our manufactures, compiled from the returns of the marshals in 1810, and designed (we understand) to be published during the next session of congress.

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*The secretary of the treasury, in obedience to the order of the house of representatives of the 15th of January, 1790, has applied his attention at as early a period as his other duties would permit, to the subject of manufactures; and particularly to the means of promoting such as will tend to render the United States independent on foreign nations, for military and other essential supplies: and he thereupon respectfully submits the following report:*

The expediency of encouraging manufactures in the United States, which was, not long since, deemed very questionable, appears at this time to be pretty generally admitted. The embarrassments, which have obstructed the progress of our external trade, have led to serious reflections on the necessity of enlarging the sphere of our domestic commerce: the restrictive regulations, which in foreign markets abridge the vent of the increasing surplus of our agricultural produce, serve to beget an earnest desire, that a more extensive demand for that surplus may be created at home. And the complete success which has rewarded manufacturing enterprise, in some valuable branches, conspiring with the promising symptoms which attend some less mature essays in others, justify a hope, that the obstacles to the growth of this species of industry, are less formidable than they were apprehended to be; and that it is not difficult to find in its further extension, a full indemnification for any external disadvantages, which are, or may be experienced, as well as an accession of resources favorable to national independence and safety.

There still are, nevertheless, respectable patrons of opinions, unfriendly to the encouragement of manufactures. The following are, substantially, the arguments by which these opinions are defended:

"In every country (say those who entertain them) agriculture is the most beneficial and productive object of human industry. This position, generally, if not universally true, applies with peculiar emphasis to the United States, on account of their immense tracts of fertile territory, uninhabited and unimproved. Nothing can afford so advantageous an employment for capital and labor, as the conversion of this extensive wilderness into cultivated farms. Nothing equally with this, can contribute to the population, strength and real riches of the country.

"To endeavor, by [illegible] patronage of government, to accelerate the growth of manufactures, is, in fact, to endeavor, by force and art, to transfer the natural current of industry, from a more to a less beneficial channel. Whatever has such a tendency must necessarily be unwise: indeed it can hardly ever be wise in a government, to attempt to give a direction to the industry of its citizens. This, under the quick-sighted guidance of private interest, will, if left to itself, infallibly find its own way to the most profitable employment; and it is by such employment, that the public prosperity will be most effectually promoted. To leave industry to itself, therefore, is, in almost every case, the soundest, as well as the simplest policy.

"This policy is not only recommended to the United States, by considerations which affect all nations; it is, in a manner, dictated to them by the imperious force of a very peculiar situation. The smallness of their population, compared with their territory—the constant allurements to emigration from the settled to the unsettled parts of the country—the facility with which the less independent condition of an artisan can be exchanged for the more independent condition of a farmer—these, and similar causes, conspire to produce, and, for a length of time, must continue to occasion, a scarcity of hands for manufacturing occupation, and dearness of labor generally. To these disadvantages for the prosecution of manufactures, a deficiency of pecuniary capital being added, the prospect of a successful competition with the manufacturers of Europe, must be regarded as little less than desperate. Extensive manufactures [illegible] only be the offspring of a redundant, at least a full population. Till the latter shall characterise the situation of this country, 'tis vain to hope for the former.

"If, contrary to the natural course of things, an unseasonable and premature spring can be given to certain fabrics, by heavy duties, prohibitions, bounties, or by other forced expedients; this will only be to sacrifice the interests of the community to those of particular classes. Besides the misdirection of labor, a virtual monopoly will be given to the persons employed on such fabrics; and an enhancement of price, the inevitable consequence of every monopoly, must be defrayed at the expence of the other parts of the society. It is far preferable, that those persons should be engaged in the cultivation of the earth, and that we should procure, in exchange for its productions, the commodities, with which foreigners are able to supply us in greater perfection, and upon better terms."

This mode of reasoning is founded upon facts and principles, which have certainly respectable pretensions. If it had governed the conduct of nations, more generally than it has done, there is room to suppose, that it might have carried them faster to prosperity and greatness, than they have attained by the pursuit of maxims too widely opposite. Most general theories, however, admit of numerous exceptions; and there are few, if any, of the political kind, which do not blend a considerable portion of error with the truths they inculcate.

In order to an accurate judgment, how far that, which has been just stated, ought to be deemed liable to a similar imputation, it is necessary to advert carefully to the considerations which plead in favor of manufactures, and which appear to recommend the special and positive encouragement of them, in certain cases, and under certain reasonable limitations.

It ought readily to be conceded, that the cultivation of the earth, as the primary and most certain source of national supply—as the immediate and chief source of subsistence to man—as the principal source of those materials which constitute the nutriment of other kinds of labor—as including a state most favorable to the freedom and independence of the human mind—one, perhaps, most conducive to the multiplication of the human species—has intrinsically a strong claim to pre-eminence over every other kind of industry.

But, that it has a title to any thing like an exclusive predilection, in any country, ought to be admitted with great caution. That it is even more productive than every branch of industry, requires more evidence than has yet been given in support of the position. That its real interests, precious and important as, without help of exaggeration, they truly are, will be advanced, rather than injured by the due encouragement of manufactures, may, it is believed, be satisfactorily demonstrated. And it is also believed, that the expediency of such encouragement, in a general view, may be shown to be recommended by the most cogent and persuasive motives of national policy.

It has been maintained, that agriculture is not only the most productive, but the only productive species of industry. The reality of this suggestion, in either respect, has, however, not been verified by any accurate detail of facts and calculations: and the general arguments which are adduced to prove it, are rather subtle and paradoxical, than solid or convincing.

Those, which maintain its exclusive productiveness, are to this effect:

Labor, bestowed upon the cultivation of land, produces enough, not only to replace all the necessary expences incurred in the business, and to maintain the persons who are employed in it, but to afford, together with the ordinary profit on the stock or capital of the farmer, a net surplus, or rent for the landlord or proprietor of the soil. But the labor of artificers does nothing more than replace the stock which employs them, or which furnishes materials, tools, and wages, and yield the ordinary profit upon that stock. It yields nothing equivalent to the rent of land. Neither does it add any thing to the total value of the whole annual produce of the land and labor of the country. The additional value given to those parts of the produce of land, which are wrought into manufactures, is counterbalanced by the value of those other parts of that produce, which are consumed by the manufacturers. It can therefore only be by saving or parsimony, not by the positive productiveness of their labor, that the classes of artificers can in any degree augment the revenue of the society.

To this it has been answered,

1. "That inasmuch as it is acknowledged, that manufacturing labor re-produces a value equal to that which is expended or consumed in carrying it on, and continues in existence the original stock or capital employed, it ought, on that account alone, to escape being considered as wholly unproductive: that though it should be admitted, as alledged, that the consumption of the produce of the soil, by the classes of artificers or manufacturers, is exactly equal to the value added by their labor to the materials upon which it is exerted; yet it would not thence follow, that it added nothing to the revenue of the society, or to the aggregate value of the annual produce of its land and labor. If the consumption, for any given period, amounted to a given sum, and the increased value of the produce manufactured, in the same period, to a like sum, the total amount of the consumption and production during that period, would be equal to the two sums, and consequently double the value of the agricultural produce consumed. And though the increment of value, produced by the classes of artificers, should at no time exceed the value of the produce of the land consumed by them, yet there would be at every moment, in consequence of their labor, a greater value of goods in the market, than would exist independent of it.

2. "That the position, that artificers can augment the revenue of a society, only by parsimony, is true in no other sense, than in one which is equally applicable to husbandmen or cultivators. It may be alike affirmed of all these classes, that the fund acquired by their labor, and destined for their support, is not, in an ordinary way, more than equal to it. And hence it will follow, that augmentations of the wealth or capital of the community (except in the instances of some extraordinary dexterity or skill) can only proceed, with respect to any of them, from the savings of the more thrifty and parsimonious.

3. "That the annual produce of the land and labor of a country can only be increased, in two ways, by some improvement in the productive powers of the useful labor, which actually exists within it, or by some increase in the quantity of such labor; that with regard to the first, the labor of artificers being capable of greater subdivision and simplicity of operation, than that of cultivators, it is susceptible, in a proportionably greater degree, of improvement in its productive powers, whether to be derived from an accession of skill, or from the application of ingenious machinery; in which particular, therefore, the labor employed in the culture of land can pretend to no advantage over that engaged in manufactures: that with regard to an augmentation of the quantity of useful labor, this, excluding adventitious circumstances, must depend essentially upon an increase of capital, which again must depend upon the savings made out of the revenues of those, who furnish or manage that, which is at any time employed, whether in agriculture, or in manufactures, or in any other way."

But while the exclusive productiveness of agricultural labor has been thus denied and refuted, the superiority of its productiveness has been conceded without hesitation. As this concession involves a point of considerable magnitude, in relation to maxims of public administration, the grounds on which it rests are worthy of a distinct and particular examination.

One of the arguments made use of, in support of the idea, may be pronounced both quaint and superficial; it amounts to this:—That in the productions of the soil, nature co-operates with man; and that the

effect of their joint labor must be greater than that of the labor of man alone.

This, however, is far from being a necessary inference. It is very conceivable, that the labor of man alone laid out upon a work, requiring great skill and art to bring it to perfection, may be more productive, in value, than the labor of nature and man combined, when directed towards more simple operations and objects: and when it is recollected to what an extent the agency of nature, in the application of the mechanical powers, is made auxiliary to the prosecution of manufactures, the suggestion which has been noticed, loses even the appearance of plausibility

It might also be observed, with a contrary view, that the labor employed in agriculture is in a great measure periodical and occasional, depending on seasons, liable to various and long intermissions; while that occupied in many manufactures is constant and regular, extending through the year, embracing, in some instances, night as well as day. It is also probable, that there are among the cultivators of land, more examples of remissness, than among artificers. The farmer, from the peculiar fertility of his land, or some other favorable circumstance, may frequently obtain a livelihood, even with a considerable degree of carelessness in the mode of cultivation; but the artisan can with difficulty effect the same object, without exerting himself pretty equally with all those, who are engaged in the same pursuit. And if it may likewise be assumed as a fact, that manufactures open a wider field to exertions of ingenuity than agriculture, it would not be a strained conjecture, that the labor employed in the former being at once more constant, more uniform, and more ingenious, than that which is employed in the latter, will be found at the same time more productive.

But it is not meant to lay stress on observations of this nature: they ought only to serve as a counterbalance to those of a similar complexion. Circumstances so vague and general, as well as so abstract, can afford little instruction in a matter of this kind.

Another, and that which seems to be the principal argument offered for the superior productiveness of agricultural labor, turns upon the allegation, that labor employed on manufactures yields nothing equivalent to the rent of land; or to that surplus, as it is called, which accrues to the proprietor of the soil. But this distinction, important as it has been deemed, appears rather verbal than substantial.

It is easily discernible, that what, in the first instance, is divided into two parts, under the denominations of the ordinary profit of the stock of the farmer and rent to the landlord, is, in the second instance, united under the general appellation of the ordinary profit on the stock of the undertaker; and that this formal or verbal distribution constitutes the whole difference in the two cases. It seems to have been overlooked, that the land is itself a stock or capital, advanced or lent by its owner to the occupier or tenant, and that the rent he receives is only the ordinary profit of a certain stock in land, not managed by the proprietor himself, but by another to whom he lends or lets it, and who, on on his part, advances a second capital to stock and improve the land, upon which he also receives the usual profit. The rent of the landlord and the profit of the farmer are therefore nothing more than the ordinary profits of two capitals, belonging to two different persons, and united in the cultivation of a farm; as, in the other case, the surplus which arises upon any manufactory, after replacing the expences of carrying it on, answers to the ordinary profits of one or more capitals engaged in the prosecution of such manufactory. It is said one or more capitals: because, in fact, the same thing which is contemplated in the case of the farm, sometimes happens in that of a manufactory. There is one, who furnishes a part of the capital, or lends a part of the money, by which it is carried on, and another, who carries it on, with the addition of his own capital. Out of the surplus which remains, after defraying expences, an interest is paid to the money-lender for the proportion of the capital furnished by him, which exactly agrees with the rent paid to the landlord: and the residue of that surplus constitutes the profit of the undertaker or manufacturer, and agrees with what is denominated the ordinary profits of the stock of the farmer. Both together make the ordinary profits of two capitals employed in a manufactory; as in the other case, the rent of the landlord and the revenue of the farmer compose the ordinary profits of two capitals, employed in the cultivation of a farm.

The rent, therefore, accruing to the proprietor of the land, far from being a criterion of exclusive productiveness, as has been argued, is no criterion even of superior productiveness. The question must still be, whether the surplus, after defraying expences, of a given capital, employed in the purchase and improvement of a piece of land, is greater or less, than that of a like capital, employed in the prosecution of a manufactory; or whether the whole value produced from a given capital, and a given quantity of labor, employed in one way, be greater or less than the whole value produced from an equal capital and an equal quantity of labor, employed in the other way; or rather, perhaps, whether the business of agriculture or that of manufactures will yield the greatest product, according to a compound ratio of the quantity of the capital and the quantity of labor, which are employed in the one or in the other.

The solution of either of these questions is not easy: it involves numerous complicated details, depending on an accurate knowledge of the objects to be compared. It is not known that the comparison has ever yet been made upon sufficient data, properly ascertained and realized. To be able to make it on the present occasion, with satisfactory precision, would demand more previous enquiry and investigation, than there has been hitherto either leisure or opportunity to accomplish.

Some essays, however, have been made towards acquiring the requisite information; which have rather served to throw doubt upon, than to confirm the hypothesis, under examination. But it ought to be acknowledged, that they have been too little diversified, and are too imperfect, to authorise a definitive conclusion, either way; leading rather to probable conjecture than to certain deduction. They render it probable, that there are various branches of manufactures, in which a given capital will yield a greater total product, and a considerably greater net product, than an equal capital invested in the purchase and improvement of lands; and that there are also some branches, in which both the gross and the net produce will exceed that of agricultural industry: according to a compound ratio of capital and labor. But it is on this last point, that there appears to be the greatest room for doubt. It is far less difficult, to infer generally, that the net produce of capital engaged in manufacturing enterprises is greater than that of capital engaged in agriculture.

The foregoing suggestions are not designed to inculcate an opinion, that manufacturing industry is more productive than that of agriculture. They are intended rather to show, that the reverse of this proposition is not ascertained; that the general arguments which are brought to establish it, are not satisfactory; and consequently, that a supposition

of the superior productiveness of tillage, ought to be no obstacle to listening to any substantial inducements to the encouragement of manufactures, which may be otherwise perceived to exist, through an apprehension, that they may have a tendency to divert labor from a more to a less profitable employment.

It is extremely probable, that on a full and accurate developement of the matter, on the ground of fact and calculation, it would be discovered that there is no material difference between the aggregate productiveness of the one, and of the other kind of industry; and that the propriety of the encouragements, which may in any case be proposed to be given to either, ought to be determined upon considerations irrelative to any comparison of that nature.

II. But without contending for the superior productiveness of manufacturing industry, it may conduce to a better judgment of the policy, which ought to be pursued respecting its encouragement, to contemplate the subject, under some additional aspects, tending not only to confirm the idea, that this kind of industry has been improperly represented as unproductive in itself; but to evince in addition, that the establishment and diffusion of manufactures have the effect of rendering the total mass of useful and productive labor, in a community, greater than it would otherwise be. In prosecuting this discussion, it may be necessary, briefly to resume and review some of the topics which have been already touched.

To affirm that the labor of the manufacturer is unproductive, because he consumes as much of the produce of land, as he adds value to the raw materials which he manufactures, is not better founded, than it would be to affirm, that the labor of the farmer, which furnishes materials to the manufacturer, is unproductive, because he consumes an equal value of manufactured articles. Each furnishes a certain portion of the produce of his labor to the other, and each destroys a correspondent portion of the produce of the labor of the other. In the mean time, the maintenance of two citizens, instead of one, is going on; the state has two members instead of one; and they together consume twice the value of what is produced from the land.

If instead of a farmer and artificer, there were a farmer only, he would be under the necessity of devoting a part of his labor to the fabrication of clothing and other articles, which he would procure of the artificer, in the case of there being such a person; and of course he would be able to devote less labor to the cultivation of his farm, and would draw from it a proportionably less product. The whole quantity of production, in this state of things, in provisions, raw materials, and manufactures, would certainly not exceed in value the amount of what would be produced in provisions and raw materials only, if there were an artificer as well as a farmer.

Again—If there were both an artificer and a farmer, the latter would be left at liberty to pursue exclusively the cultivation of his farm. A greater quantity of provisions and raw materials would of course be produced, equal, at least, as has been already observed, to the whole amount of the provisions, raw materials and manufactures, which would exist, on a contrary supposition. The artificer, at the same time, would be going on in the production of manufactured commodities; to an amount sufficient not only to repay the farmer, in those commodities, for the provisions and materials which were procured from him, but to furnish the artificer himself with a supply of similar commodities for his own use. Thus then, there would be two quantities or values in existence, instead of one; and the revenue and consumption would be double in one case, what it would be in the other.

If, in place of both these suppositions, there were supposed to be two farmers and no artificer, each of whom applied a part of his labor to the culture of land, and another part to the fabrication of manufactures; in this case, the portion of the labor of both, bestowed upon land, would produce the same quantity of provisions and raw materials only, as would be produced by the entire sum of the labor of one applied in the same manner: and the portion of the labor of both bestowed upon manufactures, would produce the same quantity of manufactures only as would be produced by the entire sum of the labor of one applied in the same manner. Hence the produce of the labor of the two farmers, would not be greater than the produce of the labor of the farmer and artificer; and hence it results, that the labor of the artificer is as positively productive as that of the farmer, and, as positively, augments the revenue of the society.

The labor of the artificer replaces to the farmer that portion of his labor with which he provides the materials of exchange with the artificer, and which he would otherwise have been compelled to apply to manufactures; and while the artificer thus enables the farmer to enlarge his stock of agricultural industry, a portion of which he purchases for his own use, he also supplies himself with the manufactured articles of which he stands in need. He does still more. Besides this equivalent, which he gives for the portion of agricultural labor consumed by him, and this supply of manufactured commodities for his own consumption, he furnishes still a surplus, which compensates for the use of the capital advanced either by himself or some other person, for carrying on the business. This is the ordinary profit of the stock employed in the manufactory; and is, in every sense, as effective an addition to the income of the society, as the rent of land.

The produce of the labor of the artificer, consequently, may be regarded as composed of three parts; one, by which the provisions for his subsistence and the materials for his work are purchased of the farmer; one, by which he supplies himself with manufactured necessaries; and a third, which constitutes the profit on the stock employed. The two last portions seem to have been overlooked in the system, which represents manufacturing industry as barren and unproductive.

In the course of the preceding illustrations, the products of equal quantities of the labor of the farmer and artificer have been treated as if equal to each other. But this is not to be understood as intending to assert any such precise equality. It is merely a manner of expression adopted for the sake of simplicity and perspicuity. Whether the value of the produce of the labor of the farmer be somewhat more or less, than that of the artificer, is not material to the main scope of the argument, which hitherto has only aimed at showing that the one, as well as the other, occasions a positive augmentation of the total produce and revenue of the society.

It is now proper to proceed a step further, and to enumerate the principal circumstances, from which it may be inferred—that manufacturing establishments not only occasion a positive augmentation of the produce and revenue of the society, but that they contribute essentially to rendering them greater than they could possibly be, without such establishments. These circumstances are,

1. The division of labor.
2. An extension of the use of machinery.

3. Additional employment to classes of the community, not ordinarily engaged in the business.

4. The promoting of emigration from foreign countries.

5. The furnishing greater scope for the diversity of talents and dispositions which discriminate men from each other.

6. The affording a more ample and various field for enterprise.

7. The creating, in some instances, a new, and securing, in all, a more certain and steady demand for the surplus produce of the soil.

Each of these circumstances has a considerable influence upon the total mass of industrious effort in a community: together, they add to it a degree of energy and effect, which are not easily conceived. Some comments upon each of them, in the order in which they have been stated, may serve to explain their importance.

I. As to the division of labor.

It has justly been observed, that there is scarcely any thing of greater moment in the economy of a nation, than the proper division of labor. The separation of occupations causes each to be carried to a much greater perfection than it could possibly acquire, if they were blended. This arises principally from three circumstances.

1st. The greater skill and dexterity naturally resulting from a constant and undivided application to a single object. It is evident, that these properties must increase, in proportion to the separation and simplification of objects, and the steadiness of the attention devoted to each; and must be less, in proportion to the complication of objects, and the number among which the attention is distracted.

2d. The economy of time, by avoiding the loss of it, incident to a frequent transition from one operation to another of a different nature. This depends on various circumstances; the transition itself—the orderly disposition of the implements, machines, and materials employed in the operation to be relinquished—the preparatory steps to the commencement of a new one—the interruption of the impulse, which the mind of the workman acquires, from being engaged in a particular operation—the distractions, hesitations and reluctances, which attend the passage from one kind of business to another.

3d. An extension of the use of machinery. A man occupied on a single object, will have it more in his power, and will be more naturally led to exert his imagination in devising methods to facilitate and abridge labor, than if he were perplexed by a variety of independent and dissimilar operations. Besides this, the fabrication of machines, in numerous instances, becoming itself a distinct trade, the artist, who follows it, has all the advantages which have been enumerated, for improvement in his particular art: and in both ways the invention and application of machinery are extended.

And from these causes united, the mere separation of the occupation of the cultivator, from that of the artificer, has the effect of augmenting the productive powers of labor, and with them, the total mass of the produce or revenue of a country. In this single view of the subject, therefore, the utility of artificers or manufacturers, towards promoting an increase of productive industry, is apparent.

II. As to an extension of the use of machinery, a point which, though partly anticipated, requires to be placed in one or two additional lights.

The employment of machinery forms an item of great importance in the general mass of national industry. 'Tis an artificial force brought in aid of the natural force of man, and, to all the purposes of labor, is an increase of hands; an accession of strength, unincumbered too by the expense of maintaining the laborer. May it not therefore be fairly inferred, that those occupations which give greatest scope to the use of this auxiliary, contribute most to the general stock of industrious effort, and, in consequence, to the general product of industry?

It shall be taken for granted, and the truth of the position referred to observation, that manufacturing pursuits are susceptible in a greater degree of the application of machinery, than those of agriculture. If so, all the difference is lost to a community, which, instead of manufacturing for itself, procures the fabrics requisite to its supply from other countries. The substitution of foreign for domestic manufactures is a transfer to foreign nations of the advantages accruing from the employment of machinery, in the modes in which it is capable of being employed, with most utility and to the greatest extent.

The cotton mill invented in England, within the last twenty years, is a signal illustration of the general proposition which has been just advanced. In consequence of it, all the different processes for spinning cotton are performed by means of machines, which are put in motion by water, and attended chiefly by women and children; and by a smaller number of persons, in the whole, than are requisite in the ordinary mode of spinning. And it is an advantage of great moment, that the operations of this mill continue with convenience, during the night, as well as through the day. The prodigious effect of such a machine is easily conceived. To this invention is to be attributed essentially the immense progress, which has been so suddenly made in Great Britain, in the various fabrics of cotton.

III. As to the additional employment of classes of the community, not originally engaged in the particular business.

This is not among the least valuable of the means by which manufacturing institutions contribute to augment the general stock of industry and production. In places where those institutions prevail, besides the persons regularly engaged in them, they afford occasional and extra employment to industrious individuals and families, who are willing to devote the leisure resulting from the intermissions of their ordinary pursuits to collateral labors, as a resource for multiplying their acquisitions or their enjoyments. The husbandman himself experiences a new source of profit and support from the increased industry of his wife and daughters; invited and stimulated by the demands of the neighboring manufactories.

Besides this advantage of occasional employment to classes having different occupations, there is another of a nature allied to it, and of a similar tendency. This is, the employment of persons who would otherwise be idle, (and, in many cases, a burden on the community) either from the bias of temper, habit, infirmity of body, or some other cause, indisposing or disqualifying them for the toils of the country. It is worthy of particular remark, that, in general, women and children are rendered more useful, and the latter more early useful, by manufacturing establishments, than they would otherwise be. Of the number of persons employed in the cotton manufactories of Great Britain, it is computed that four-sevenths nearly are women and children; of whom the greatest proportion are children, and many of them of a tender age.

And thus it appears to be one of the attributes of manufactures, and one of no small consequence, to give occasion to the exertion of a greater quantity of industry, even by the same number of persons, where they happen to prevail, than would exist, if there were no such establishments.

IV. As to the promoting of emigration from foreign countries.

Men reluctantly quit one course of occupation and livelihood for another, unless invited to it by very apparent and proximate advantages. Many, who would go from one country to another, if they had a prospect of continuing, with more benefit, the callings to which they have been educated, will often not be tempted to change their situation by the hope of doing better in some other way. Manufacturers, who (listening to the powerful invitations of a better price for their fabrics, or their labor, of greater cheapness of provision and raw materials, of an exemption from the chief part of the taxes, burdens and restraints, which they endure in the old world, of greater personal independence and consequence, under the operation of a more equal government, and of, what is far more precious than mere religious toleration, a perfect equality of religious privileges) would probably flock from Europe to the United States to pursue their own trades or professions, if they were once made sensible of the advantages they would enjoy, and were inspired with an assurance of encouragement and employment, will, with difficulty, be induced to transplant themselves, with a view to become cultivators of land.

If it be true, then, that it is the interest of the United States to open every possible avenue to emigration from abroad, it affords a weighty argument for the encouragement of manufactures; which, for the reason just assigned, will have the strongest tendency to multiply the inducements to it.

Here is perceived an important resource, not only for extending the population, and with it the useful and productive labor of the country, but likewise for the prosecution of manufactures, without deducting from the number of hands which might otherwise be drawn to tillage; and even for the indemnification of agriculture for such as might happen to be diverted from it. Many, whom manufacturing views would induce to emigrate, would afterwards yield to the temptations, which the particular situation of this country holds out to agricultural pursuits. And while agriculture would in other respects derive many signal and unmingled advantages, from the growth of manufactures, it is a problem, whether it would gain or lose, as to the article of the number of persons employed in carrying it on.

V. As to the furnishing greater scope for the diversity of talents and dispositions, which discriminate men from each other.

This is a much more powerful mean of augmenting the fund of national industry than may at first sight appear. It is a just observation, that minds, of the strongest and most active powers for their proper objects, fall below mediocrity, and labor without effect, if confined to uncongenial pursuits. And it is thence to be inferred, that the result of human exertion may be immensely increased by diversifying its objects. When all the different kinds of industry obtain in a community, each individual can find his proper element, and call into activity the whole vigor of his nature. And the community is benefited by the services of its respective members, in the manner in which each can serve it with most effect.

If there be any thing in a remark often to be met with, namely, that there is, in the genius of the people of this country, a peculiar aptitude for mechanic improvements, it would operate as a forcible reason for giving opportunities to the exercise of that species of talent, by the propagation of manufactures.

VI. As to the affording a more ample and various field for enterprize.

This also is of greater consequence in the general scale of national exertion, than might perhaps on a superficial view be supposed, and has effects not altogether dissimilar from those of the circumstance last noticed. To cherish and stimulate the activity of the human mind by multiplying the objects of enterprize, is not among the least considerable of the expedients, by which the wealth of a nation may be promoted. Even things, in themselves not positively advantageous, sometimes become so, by their tendency to provoke exertion. Every new scene which is opened to the busy nature of man, to rouse and exert itself, is the addition of a new energy to the general stock of effort.

The spirit of enterprize, useful and prolific as it is, must necessary be contracted or expanded in proportion to the simplicity or variety, of the occupations and productions which are to be found in a society. It must be less in a nation of mere cultivators, than in a nation of cultivators and merchants; less in a nation of cultivators and merchants, than in a nation of cultivators, artificers, and merchants.

VII. As to the creating, in some instances, a new, and securing in all a more certain and steady demand for the surplus produce of the soil.

This is among the most important of the circumstances which have been indicated. It is a principal mean, by which the establishment of manufactures contributes to an augmentation of the produce or revenue of a country, and has an immediate and direct relation to the prosperity of agriculture.

It is evident, that the exertions of the husbandman will be steady or fluctuating, vigorous or feeble, in proportion to the steadiness or fluctuation, adequateness or inadequateness of the markets on which he must depend, for the vent of the surplus, which may be produced by his labor; and that such surplus, in the ordinary course of things, will be greater or less in the same proportion.

For the purpose of this vent, a domestic market is greatly to be preferred to a foreign one; because it is, in the nature of things, far more to be relied upon.

It is a primary object of the policy of nations to be able to supply themselves with subsistence from their own soils; and manufacturing nations, as far as circumstances permit, endeavor to procure from the same source, the raw materials necessary for their own fabrics. This disposition, urged by the spirit of monopoly, is sometimes even carried to an injudicious extreme. It seems not always to be recollected, that nations who have neither mines nor manufactures, can only obtain the manufactured articles of which they stand in need, by an exchange of the products of their soils; and that, if those who can best furnish them with such articles, are unwilling to give a due course to this exchange, they must of necessity make every possible effort to manufacture for themselves; the effect of which is, that the manufacturing nations abridge the natural advantages of their situation, through an unwillingness to permit the agricultural countries to enjoy the advantages of theirs, and sacrifice the interest of a mutually beneficial intercourse to the vain project of selling every thing and buying nothing.

But is is also a consequence of the policy, which has been noted, that the foreign demand for the products of agricultural countries, is in a great degree rather casual and occasional, than certain or constant. To what extent injurious interruptions of the demand for some of the staple commodities of the United States, may have been experienced, from that cause, must be referred to the judgment of those who are engaged in carrying on the commerce of the country: but it may be safely affirmed, that such interruptions are at times very inconveniently felt, and

that cases not unfrequently occur, in which markets are so confined and restricted, as to render the demand very unequal to the supply.

Independently likewise of the artificial impediments, which are created by the policy in question, there are natural causes tending to render the external demand for the surplus of agricultural nations a precarious reliance. The differences of seasons in the countries which are the consumers, make immense differences in the produce of their own soils, in different years, and consequently in the degrees of their necessity, for foreign supply. Plentiful harvests with them, especially if similar ones occur at the same time in the countries which are furnishers, occasion of course a glut in the markets of the latter.

Considering how fast and how much the progress of new settlements in the United States must increase the surplus produce of the soil, and weighing seriously the tendency of the system, which prevails among most of the commercial nations of Europe; whatever dependence may be placed on the force of natural circumstances to counteract the effects of an artificial policy; there appear strong reasons to regard the foreign demand for that surplus, as too uncertain a reliance, and to desire a substitute for it, in an extensive domestic market.

To secure such a market, there is no other expedient, than to promote manufacturing establishments. Manufacturers, who constitute the most numerous class, after the cultivators of land, are for that reason the principal consumers of the surplus of their labor.

This idea of an extensive domestic market for the surplus produce of the soil, is of the first consequence. It is, of all things, that which most effectually conduces to a flourishing state of agriculture. If the effect of manufactories should be to detach a portion of the hands, which would otherwise be engaged in tillage, it might possibly cause a smaller quantity of lands to be under cultivation: but by their tendency to procure a more certain demand for the surplus produce of the soil, they would, at the same time, cause the lands, which were in cultivation, to be better improved and more productive. And while, by their influence, the condition of each individal farmer would be meliorated, the total mass of agricultural production would probably be increased. For this must evidently depend as much, if not more, upon the degree of improvement, than upon the number of acres under culture.

It merits particular observation, that the multiplication of manufactories not only furnishes a market for those articles which have been accustomed to be produced in abundance, in a country; but it likewise creates a demand for such as were either unknown or produced in inconsiderable quantities The bowels, as well as the surface of the earth, are ransacked for articles which were before neglected. Animals, plants, and minerals acquire a utility and value, which were before unexplored.

The foregoing considerations seem sufficient to establish, as general propositions, that it is the interest of nations to diversify the industrious pursuits of the individuals who compose them—that the establishment of manufactures is calculated not only to increase the general stock of useful and productive labor, but even to improve the state of agriculture in particular, certainly to advance the interests of those who are engaged in it. There are other views, that will be hereafter taken of the subject, which, it is conceived, will serve to confirm these inferences.

VIII. Previously to a further discussion of the objections to the encouragement of manufactures which have been stated, it will be of use to see what can be said in reference to the particular situation of the United States, against the conclusions appearing to result from what has been already offered.

It may be observed, that the idea is of no inconsiderable weight, that however true it might be, that a state, which, possessing large tracts of vacant and fertile territory, was at the same time secluded from foreign commerce, would find its interest and the interest of agriculture, in diverting a part of its population from tillage to manufactures; yet, it will not follow that the same is true of a state, which, having such vacant and fertile territory, has, at the same time ample opportunity of procuring from abroad, on good terms, all the fabrics of which it stands in need, for the supply of its inhabitants. The power of doing this at least secures the great advantage of a division of labor, leaving the farmer free to pursue exclusively the culture of his land, and enabling him to procure with its products, the manufactured supplies requisite either to his own wants or to his enjoyments. And though it should be true, that in settled countries, the diversification of industry is conducive to an increase in the productive powers of labor, and to an augmentation of revenue and capital; yet it is scarcely conceivable that there can be any thing of so solid and permanent advantage to an uncultivated and unpeopled country, as to convert its wastes into cultivated and inhabited districts. If the revenue, in the mean time, should be less, the capital, in the event, must be greater.

To these observations, the following appears to be a satisfactory answer—

1. If the system of perfect liberty to industry and commerce were the prevailing system of nations, the arguments, which dissuade a country, in the predicament of the United States, from the zealous pursuit of manufactures, would doubtless have great force. It will not be affirmed, that they might not be permitted, with few exceptions, to serve as the rule of national conduct. In such a state of things, each country would have the full benefit of its peculiar advantages, to compensate for its deficiencies or disadvantages. If one nation were in condition to supply manufactured articles on better terms than another, that other might find an abundant indemnification in a superior capacity to furnish the produce of the soil. And a free exchange, mutually beneficial, of the commodities which each was able to supply, on the best terms, might be carried on between them, supporting in full vigor the industry of each. And though the circumstances which have been mentioned, and others, which will be unfolded hereafter, render it probable, that nations merely agricultural, would not enjoy the same degree of opulence, in proportion to their numbers, as those which united manufactures with agriculture; yet the progressive improvement of the lands of the former, might, in the end, atone for an inferior degree of opulence in the mean time; and in a case, in which opposite considerations are pretty equally balanced, the opinion ought perhaps always to be, in favor of leaving industry to its own direction.

But the system, which has been mentioned, is far from characterising the general policy of nations. The prevalent one has been regulated by an opposite spirit. The consequence of it is, that the United States are, to a certain extent, in the situation of a country precluded from foreign commerce. They can, indeed, without difficulty, obtain from abroad the manufactured supplies, of which they are in want; but they experience numerous and very injurious impediments to the emission and vent of their own commodities. Nor is this the case in reference to a single foreign nation only. The regulations of several countries, with which we have the

most extensive intercourse, throw serious obstructions in the way of the principal staples of the United States.

In such a position of things, the United States cannot exchange with Europe on equal terms: and the want of reciprocity would render them the victim of a system, which should induce them to confine their views to agriculture, and refrain from manufactures. A constant and increasing necessity, on their part, for the commodities of Europe, and only a partial and occasional demand for their own, in return, could not but expose them to a state of impoverishment, compared with the opulence to which their political and natural advantages authorise them to aspire.

Remarks of this kind are not made in the spirit of complaint. 'Tis for the nations, whose regulations are alluded to, to judge for themselves, whether by aiming at too much, they do not lose more than they gain. 'Tis for the United States to consider by what means they can render themselves least dependent, on the combinations, right or wrong, of foreign policy.

It is no small consolation, that already the measures which have embarrassed our trade, have accelerated internal improvements, which, upon the whole, have bettered our affairs. To diversify and extend these improvements, is the surest and safest method of indemnifying ourselves for any inconveniences which those or similar measures have a tendency to beget. If Europe will not take from us the products of our soil, upon terms consistent with our interest, the natural remedy is, to contract, as fast as possible, our wants of her.

2. The conversion of their waste into cultivated land is certainly a point of great moment in the political calculations of the United States. But the degree in which this may possibly be retarded by the encouragement of manufactories does not appear to countervail the powerful inducements to affording that encouragement.

An observation, made in another place, is of a nature to have great influence upon this question. If it cannot be denied, that the interests, even of agriculture, may be advanced more by having such of the lands of a state as are occupied under good cultivation, than by having a greater quantity occupied under a much inferior cultivation—and if manufactories, for the reasons assigned, must be admitted to have a teadency to promote a more steady and vigorous cultivation of the lands occupied, than would happen without them—it will follow that they are capable of indemnifying a country for a diminution of the progress of new settlements; and may serve to increase both the capital value and the income of its lands, even though they should abridge the number of acres under tillage.

But it does by no means follow, that the progress of new settlements would be retarded by the extension of manufactures. The desire of being an independent proprietor of land is founded on such strong principles in the human breast, that where the opportunity of becoming so is as great as it is in the United States, the proportion will be small of those, whose situations would otherwise lead to it, who would be diverted from it towards manufactures. And it is highly probable, as already intimated, that the accessions of foreigners, who, originally drawn over by manufacturing views, would afterwards abandon them for agricultural, would be more than an equivalent for those of our own citizens, who might happen to be detached from them.

The remaining objections to a particular encouragement of manufactures in the United States, now require to be examined.

[illegible] case turns on the proposition, that industry, if left to itself, will naturally find its way to the most useful and profitable employment: whence it is inferred, that manufactures, without the aid of government, will grow up as soon and as fast, as the natural state of things and the interest of the community may require.

Against the solidity of this hypothesis, in the full latitude of the terms, very cogent reasons may be offered. These have relation to the strong influence of habit and spirit of imitation, the fear of want of success in untried enterprises, the intrinsic difficulties incident to first essays towards a competition with those who have previously attained to perfection in the business to be attempted, the bounties, premiums, and other artificial encouragements, with which foreign nations second the exertions of their own citizens in the branches in which they are to be rivalled.

Experience teaches, that men are often so much governed by what they are accustomed to see and practice, that the simplest and most obvious improvements, in the most ordinary occupations, are adopted with hesitation, reluctance, and by slow gradations. The spontaneous transition to new pursuits, in a community long habituated to different ones, may be expected to be attended with proportionably greater difficulty. When former occupations ceased to yield a profit adequate to the subsistence of their followers, or when there was an absolute deficiency of employment in them, owing to the superabundance of hands, changes would ensue: but these changes would be likely to be more tardy than might consist with the interest either of individuals or of the society. In many cases they would not happen, while a bare support could be ensured by an adherence to ancient courses; though a resort to a more profitable employment might be practicable. To produce the desirable changes, as early as may be expedient, may therefore require the incitement and patronage of government.

The apprehension of failing in new attempts is perhaps a more serious impediment. There are dispositions apt to be attracted by the mere novelty of an undertaking; but these are not always those best calculated to give it success. To this, it is of importance that the confidence of the cautious, sagacious capitalists, both citizens and foreigners, should be excited. And to inspire this description of persons with confidence, it is essential that they should be made to see in any project, which is new, and for that reason alone, if for no other, precarious, the prospect of such a degree of countenance and support from government, as may be capable of overcoming the obstacles, inseparable from first experiments.

The superiority antecedently enjoyed by nations, who have pre-occupied and perfected a branch of industry, constitutes a more formidable obstacle, than either of those, which have been mentioned, to the introduction of the same branch into a country, in which it did not before exist. To maintain, between the recent establishments of one country and the long-matured establishments of another country, a competition upon equal terms, both as to quality and price, is, in most cases, impracticable. The disparity, in the one, or in the other, or in both, must necessarily be so considerable, as to forbid a successful rivalship, without the extraordinary aid and protection of government.

But the greatest obstacle of all to the successful prosecution of a new branch of industry, in a country, in which it was before unknown, consists, as far as the instances apply, in the bounties, premiums, and other aids, which are granted, in a variety of

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*Hæc olim meminisse juvabit.*—Virgil.

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cases, by the nations in which the establishments to be imitated, are previously introduced. It is well known (and particular examples in the course of the report will be cited) that certain nations grant bounties on the exportation of particular commodities, to enable their own workmen to undersell and supplant all competitors, in the countries to which those commodities are sent. Hence the undertakers of a new manufacture have to contend not only with the natural disadvantages of a new undertaking, but with the gratuities and remunerations which other governments bestow. To be enabled to contend with success, it is evident, that the interference and aid of their own government are indispensable.

Combinations by those engaged in a particular branch of business, in one country, to frustrate the first efforts to introduce it into another, by temporary sacrifices, recompensed perhaps by extraordinary indemnifications of the government of such country, are believed to have existed, and are not to be regarded as destitute of probability. The existence or assurance of aid from the government of the country, in which the business is to be introduced, may be essential to fortify adventurers against the dread of such combinations—to defeat their effects, if formed, and to prevent their being formed, by demonstrating that they must in the end prove fruitless.

Whatever room there may be for an expectation that the industry of a people, under the direction of private interest, will, upon equal terms, find out the most beneficial employment for itself, there is none for a reliance, that it will struggle against the force of unequal terms, or will, of itself, surmount all the adventitious barriers to a successful competition, which may have been erected either by the advantages naturally acquired from practice and previous possession of the ground, or by those which may have sprung from positive regulations and an artificial policy. This general reflection might alone suffice as an answer to the objection under examination; exclusively of the weighty considerations which have been particularly urged.

The objections to the pursuit of manufactures in the United States, which next present themselves to discussion, represent an impracticability of success, arising from three causes—scarcity of hands, dearness of labor, want of capital.

The two first circumstances are, to a certain extent, real, and, within due limits, ought to be admitted as obstacles to the success of manufacturing enterprise in the United States. But there are various considerations, which lessen their force, and tend to afford an assurance, that they are not sufficient to prevent the advantageous prosecution of many very useful and extensive manufactories.

With regard to the scarcity of hands, the fact itself must be applied, with no small qualification, to certain parts of the United States. There are large districts, which may be considered as pretty fully peopled; and which, notwithstanding a continual drain for distant settlement, are thickly interspersed with flourishing and increasing towns. If these districts have not already reached the point, to which the complaint of scarcity of hands ceases, they are not remote from it, and are approaching fast towards it; and having perhaps fewer attractions to agriculture, than some other parts of the union, they exhibit a proportionably stronger tendency towards other kinds of industry. In these districts, may be discerned, no inconsiderable maturity for manufacturing establishments.

But there are circumstances, which have been already noticed with another view, that materially diminish every where the effect of a scarcity of hands. These circumstances are—the great use which can be made of women and children; on which point a very pregnant and instructive fact has been mentioned; the vast extension given by late improvements to the employment of machines, which substituting the agency of fire and water, has prodigiously lessened the necessity for manual labor—the employment of persons ordinarily engaged in other occupations, during the seasons, or hours of leisure—which, besides giving occasion to the exertion of a greater quantity of labor by the same number of persons, and thereby increasing the general stock of labor, as has been elsewhere remarked, may also be taken into the calculation, as a resource for obviating the scarcity of hands—lastly, the attraction of foreign emigrants. Whoever inspects with a careful eye, the composition of our towns, will be made sensible to what an extent this resource may be relied upon. This exhibits a large proportion of ingenious and valuable workmen, in different arts and trades, who, by expatriating from Europe, have improved their own condition, and added to the industry and wealth of the United States. It is a natural inference from the experience, we have already had, that as soon as the United States shall present the countenance of a serious prosecution of manufactures, as soon as foreign artists shall be made sensible that the state of things here affords a moral certainty of employment and encouragement, competent numbers of European workmen will transplant themselves, effectually to insure the success of the design. How indeed can it otherwise happen, considering the various and powerful inducements, which the situation of this country offers, addressing themselves to so many strong passions and feelings, to so many general and particular interests?

It may be affirmed, therefore, in respect to hands for carrying on manufactures, that we shall in a great measure trade upon a foreign stock; reserving our own for the cultivation of our lands, and the manning of our ships, as far as character and circumstances shall incline. It is not unworthy of remark, that the objection to the success of manufactures, deduced from the scarcity of hands, is alike applicable to trade and navigation; and yet these are perceived to flourish, without any sensible impediment from that cause.

As to the dearness of labor, (another of the obstacles alleged) this has relation principally to two circumstances; one, that which has been just discussed, or the scarcity of hands; the other, the greatness of profits.

As far as it is a consequence of the scarcity of hands, it is mitigated by all the considerations which have been adduced as lessening that deficiency. It is certain, too, that the disparity in this re-

spect, between some of the most manufacturing parts of Europe and a large proportion of the United States, is not nearly so great as is commonly imagined. It is also much less in regard to country laborers; and while a careful comparison shows, that there is, in this particular, much exaggeration; it is also evident, that the effect of the degree of disparity which does truly exist, is diminished in proportion to the use which can be made of machinery.

To illustrate this last idea—let it be supposed, that the difference of price, in two countries, of a given quantity of manual labor, requisite to the fabrication of a given article, is as ten; and that some mechanic power is introduced into both countries, which, performing half the necessary labor, leaves only half to be done by hand, it is evident, that the difference in the cost of the fabrication of the article in question, in the two countries, as far as it is connected with the price of labor, will be reduced from ten to five, in consequence of the introduction of that power.

This circumstance is worthy of the most particular attention. It diminishes immensely one of the objections, most strenuously urged, against the success of manufactures in the United States.

To procure all such machines as are known in any part of Europe, can only require a proper provision and due pains. The knowledge of several of the most important of them is already possessed. The preparation of them here, is, in most cases, practicable on nearly equal terms. As far as they depend on water, some superiority of advantages may be claimed, from the uncommon variety and greater cheapness of the situations adapted to mill seats, with which different parts of the United States abound.

So far as the dearness of the labor may be a consequence of the greatness of profits in any branch of business, it is no obstacle to its success. The undertaker can afford to pay the price.

There are grounds to conclude that undertakers of manufactures in this country can, at this time, afford to pay higher wages to the workmen they may employ, than are paid to similar workmen in Europe. The prices of foreign fabrics, in the markets of the United States, which will for a long time regulate the prices of the domestic ones, may be considered as compounded of the following ingredients. The first cost of materials, including the taxes, if any, which are paid upon them where they are made—the expense of ground, buildings, machinery and tools—the wages of the persons employed in the manufactory—the profits on the capital or stock employed—the commissions of agents to purchase them where they are made—the expense of transportation to the United States, including insurance and other incidental charges—the taxes or duties, if any, and fees of office which are paid on their exportation—the taxes or duties, and fees of office which are paid on their importation.

As to the first of these items, the cost of materials, the advantage, upon the whole, is at present on the side of the United States, and the difference in their favor, must increase, in proportion as a certain and extensive domestic demand shall induce the proprietors of land to devote more of their attention to the production of those materials. It ought not to escape observation, in a comparison on this point, that some of the principal manufacturing countries of Europe are much more dependent on foreign supply for the materials of their manufactures, than would be the United States, who are capable of supplying themselves with a greater abundance, as well as a greater variety of the requisite materials.

As to the second item, the expense of grounds, buildings, machinery and tools, an equality at least may be assumed; since advantages in some particulars will counterbalance temporary disadvantages in others.

As to the third item, or the article of wages, the comparison certainly turns against the United States; though, as before observed, not in so great a degree as is commonly supposed.

The fourth item is alike applicable to the foreign and to the domestic manufacture. It is indeed more properly a result than a particular, to be compared.

But with respect to all the remaining items, they are alone applicable to the foreign manufacture, and in the strictest sense extraordinaries; constituting a sum of extra charge on the foreign fabric, which cannot be estimated at less than from fifteen to thirty per cent. on the cost of it at the manufactory.

This sum of extra charge may be confidently regarded as more than a counterpoise for the real difference in the price of labor; and it is a satisfactory proof that manufactures may prosper in defiance of it in the United States.

To the general allegation, connected with the circumstances of scarcity of hands and dearness of labor that extensive manufactures can only grow out of a redundant or full population, it will be sufficient, to answer generally, that the fact has been otherwise. That the situation, alleged to be an essential condition of sucsess, has not been that of several nations, at periods when they had already attained to maturity in a variety of manufactures.

The supposed want of capital for the prosecution of manufactures in the United States, is the most indefinite of the objections which are usually opposed to it.

It is very difficult to pronounce any thing precise concerning the real extent of the monied capital of a country, and still more concerning the proportion which it bears to the objects that invite the employment of capital. It is not less difficult to pronounce how far the effect of any given quantity of money, as capital, or, in other words, as a medium for circulating the industry and property of a nation, may be increased by the very circumstance of the addition, which is given to it by new objects of employment. That effect, like the momentum of descending bodies, may not improperly be represented, as in a compound ratio to mass and velocity. It seems pretty certain, that a given sum of money, in a situation, in which the quick impulses of commercial activity were little felt, would appear inadequate to the circulation of as great a quantity of industry and property, as in one, in which their full influence was experienced.

It is not obvious, why the same objections might not as well be made to external commerce as to manufactures; since it is manifest that our immense tracts of land, occupied, and unoccupied, are capable of giving employment to more capital than is actually bestowed upon them. It is certain, that the United States offer a vast field for the advantageous employment of capital, but it does not follow, that there will not be found, in one way or another, a sufficient fund, for the successful prosecution of any species of industry which is likely to prove truly beneficial.

The following considerations are of a nature to remove all inquietude on the score of want of capital.

The introduction of banks, as has been shown on another occasion, has a powerful tendency to extend the active capital of a country. Experience of the utility of these institutions is multiplying them in the United States. It is probable that they will be established wherever they can exist with advantage;

and wherever they can be supported, if administered with prudence; they will add new energies to all pecuniary operations.

The aid of foreign capital may safely, and with considerable latitude, be taken into calculation. Its instrumentality has been long experienced in our external commerce; and it has begun to be felt in various other modes. Not only our funds but our agriculture and other internal improvements have been animated by it. It has already, in a few instances, extended even to our manufactures.

It is a well known fact, that there are parts of Europe, which have more capital, than profitable domestic objects of employment. Hence, among other proofs, the large loans continually furnished to foreign states. And it is equally certain, that the capital of other parts may find more profitable employment in the United States, than at home. And notwithstanding there are weighty inducements to prefer the employment of capital at home, even at less profit, to an investment of it abroad, though with greater gain, yet these inducements are overruled, either by a deficiency of employment, or by a very material difference in profit. Both these causes operate to produce a transfer of foreign capital to the United States. 'Tis certain, that various objects in this country hold out advantages, which are with difficulty to be equalled elsewhere; and under the increasingly favorable impressions, which are entertained of our government, the attractions will become more and more strong. These impressions will prove a rich mine of prosperity to the country, if they are confirmed and strengthened by the progress of our affairs. And to secure this advantage, little more is necessary, than to foster industry, and to cultivate order and tranquility, at home and abroad.

It is not impossible, that there may be persons disposed to look with a jealous eye on the introduction of foreign capital, as if it were an instrument to deprive our own citizens of the profits of our own industry; but perhaps there never could be a more unreasonable jealousy. Instead of being viewed as a rival, it ought to be considered as a most valuable auxiliary; conducing to put in motion a greater quantity of productive labor, and a greater portion of useful enterprize than could exist without it. It is at least evident, that in a country situated like the United States, with an infinite fund of resources, yet to be unfolded, every farthing of foreign capital, which is laid out in internal ameliorations, and in industrious establishments of a permanent nature, is a precious acquisition.

And whatever be the objects which originally attract foreign capital, when once introduced, it may be directed towards any purpose of beneficial exertion, which is desired. And to detain it among us, there can be no expedient so effectual as to enlarge the sphere, within which it may be usefully employed: though introduced merely with views to speculations in the funds, it may afterwards be rendered subservient to the interests of agriculture, commerce and manufactures.

But the attraction of foreign capital for the direct purpose of manufactures ought not to be deemed a chimerical expectation. There are already examples of it, as remarked in another place. And the examples, if the disposition be cultivated, can hardly fail to multiply. There are also instances of another kind, which serve to strengthen the expectation; enterprizes for improving the public communications, by cutting canals, opening the obstructions in rivers, and erecting bridges, have received very material aid from the same source.

When the manufacturing capitalist of Europe shall advert to the many important advantages which have been intimated, in the course of this report, he cannot but perceive very powerful inducements to a transfer of himself and his capital to the United States. Among the reflections, which a most interesting peculiarity of situation is calculated to suggest, it cannot escape his observation, as a circumstance of moment in the calculation, that the progressive population and improvement of the United States, ensure a continually increasing domestic demand for the fabrics which he shall produce, not to be affected by any external casualties or vicissitudes.

But while there are circumstances sufficiently strong to authorise a considerable degree of reliance on the aid of foreign capital, towards the attainment of the object in view, it is satisfactory to have good ground of assurance, that there are domestic resources of themselves adequate to it. It happens, that there is a species of capital, actually existing within the United States, which relieves from all inquietude, on the score of want of capital. This is the funded debt.

The effect of a funded debt, as a species of capital, has been noticed upon a former occasion; but a more particular elucidation of the point seems to be required by the stress which is here laid upon it: this shall accordingly be attempted.

Public funds answer the purpose of capital, from the estimation in which they are usually held by monied men; and consequently from the ease and dispatch with which they can be turned into money. This capacity of prompt convertibility into money, causes a transfer of stock to be in a great number of cases equivalent to a payment in coin—and where it does not happen to suit the party who is to receive, to accept a transfer of stock, the party who is to pay, is never at a loss to find elsewhere a purchaser of his stock, who will furnish him in lieu of it, with the coin of which he stands in need.

Hence, in a sound and settled state of the public funds, a man possessed of a sum in them can embrace any scheme of business, which offers, with as much confidence as if he were possessed of an equal sum in coin.

This operation of public funds, as capital, is too obvious to be denied: but it is objected to the idea of their operating as an augmentation of the capital of the community, that they serve to occasion the destruction of some other capital to an equal amount.

The capital which alone they can be supposed to destroy, must consist of—the annual revenue, which is applied to the payment of interest on the debt, and to the gradual redemption of the principal—the amount of the coin, which is employed in circulating the funds, or, in other words, in effecting the different alienations which they undergo.

But the following appears to be the true and accurate view of this matter—

1st. As to the point of the annual revenue requisite for the payment of interest and the redemption of principal.

As a determinate proportion will tend to perspicuity in the reasoning, let it be supposed that the annual revenue to be applied, corresponding with the modification of the six per cent. stock of the United States, is in the ratio of eight upon the hundred; that is, in the first instance, six on account of interest, and two on account of principal.

Thus far it is evident, that the capital destroyed, to the capital created, would bear no greater proportion than eight to one hundred. There would be withdrawn from the total mass of other capitals a sum of eight dollars to be paid to the public creditor; while he would be possessed of a sum of one hun-

dred dollars, ready to be applied to any purpose, to be embarked in any enterprize, which might appear to him eligible—here then the augmentation of capital, or the excess of that which is produced, beyond that which is destroyed, is equal to ninety-two dollars.

To this conclusion it may be objected, that the sum of eight dollars is to be withdrawn annually, until the whole hundred is extinguished, and it may be inferred, that in process of time a capital will be destroyed, equal to that which is at first created.

But it is nevertheless true, that during the whole of the interval, between the creation of the capital of one hundred dollars, and its reduction to a sum not greater than that of the annual revenue appropriated to its redemption—there will be a greater active capital in existence, than if no debt had been contracted. The sum drawn from other capitals, in any one year, will not exceed eight dollars: but there will be, at every instant of time during the whole period in question, a sum corresponding with so much of the principal, as remains unredeemed, in the hands of some person or other, employed, or ready to be employed, in some profitable undertaking. There will, therefore, constantly be more capital, in capacity to be employed, than capital taken from employment. The excess, for the first year, has been stated to be ninety-two dollars; it will diminish yearly: but there always will be an excess, until the principal of the debt is brought to a level with the redeeming annuity; that is, in the case which has been assumed by way of example, to eight dollars. The reality of this success becomes palpable, if it be supposed, as often happens, that the citizens of a foreign country import into the United States one hundred dollars for the purchase of an equal sum of public debt: here is an absolute augmentation of the mass of circulating coin to the extent of one hundred dollars. At the end of a year, the foreigner is presumed to draw back eight dollars, on account of his principal and interest; but he still leaves ninety-two of his original deposit in circulation, as he in like manner leaves eighty-four, at the end of the second year, drawing back then also the annuity of eight dollars: and thus the matter proceeds; the capital left in circulation diminishing each year, and coming nearer to the level of the annuity drawn back. There are, however, some differences in the ultimate operation of the part of the debt, which is purchased by foreigners and that which remains in the hands of citizens. But the general effect, in each case, though in different degrees, is to add to the active capital of the country.

Hitherto the reasoning has proceeded on a concession of the position, that there is a destruction of some other capital, to the extent of the annuity appropriated to the payment of the interest and the redemption of the principal of the debt: but in this, too much has been conceded. There is, at most, a temporary transfer of some other capital, to the amount of the annuity, from those who pay, to the creditor who receives; which he again restores to the circulation, to resume the offices of a capital. This he does either immediately, by employing the money in some branch of industry, or mediately by lending it to some other person, who does so employ it, or by spending it on his own maintenance. In either supposition, there is no destruction of capital: there is nothing more than a suspension of its motion for a time; that is, while it is passing from the hands of those who pay into the public coffers, and thence through the public creditor, into some other channel of circulation. When the payments of interest are periodical and quick, and made by the instrumentality of banks, the diversion or suspension of capital may almost be denominated momentary. Hence the deduction on this account is far less, than it at first sight appears to be.

*(To be continued.)*

## Boston Memorial.

We have been requested to *register* the following memorial; and, as it falls immediately into the plan of the work, we are happy to oblige. The object is to shew the ground the *merchants* took, when *England*, by an order in council, had merely touched the *carrying-trade*; i. e. a dealing in the commodities of *other* nations. It will be recollected that the *after-orders* prohibited, in a much more extensive manner, the transportation of *our own* productions, except on paying a *duty* or *tribute* on them at a *British* port, and the like on the *return* cargoes.

*To the president of the United States, and the senate and house of representatives of the United States of America, in congress assembled.*

The subscribers, a committee of the merchants of the town of Boston, duly empowered for the purpose, respectfully ask leave to address the government on a subject highly interesting to the commerce and prosperity of the United States, and involving in its results a great pecuniary property, acquired as they believe by honest exertions in the prosecution of an open, fair, and authorised trade.

While your memorialists have witnessed with mingled feelings of indignation towards the perpetrators, and of commisseration for their unfortunate countrymen, the insults and barbarities which the commerce of these states has sustained from the cruizers of France and Spain, it is their object in the present memorial, to confine their animadversions to the more alarming, because more numerous and extensive detentions and condemnations of American vessels by Great Britain; and to advert to the principles recently avowed, and adopted by her courts, *relative to neutral trade in articles of colonial produce.* Principles which, if admitted, or practised upon in all the latitude which may fairly be inferred to be intended, would be destructive of the navigation, and radically impair the most lucrative commerce of our country.

The law of nations, like all other laws not formed by express compact, must, to give it an obligatory force, be founded on the rule of right, and be construed to exist only from open declaration, or from a tacit acquiescence under its operation by the parties interested in it.

It is a law which can never be considered as absolutely permanent, for being established by common consent for the general good, it can only be supported so long as it produces the effect intended, and so various are the changes in the political world from the relative situation of states at different epochs, and from the growth of new empires, that it may very possibly happen, that what promoted the public happiness at one time, and therefrom became part of the law of nations, might at another period tend only to the aggrandizement of an individual nation, at the expense, and to the depression and injury of many other nations.—In such case, it is but reasonable to expect, that old principles, even if they had been once expressly admitted, would become obsolete, or be newly modified, and made to conform to a state of nations widely different from that in which they originated,—at any rate, your memorialists presume it can never be justly contended, that principles of maritime law have been admitted by a nation, during whose existence they had never been avowed nor act-

ed upon, merely because such nation did not anticipate and combat pretensions which it never immagined would be seriously advocated. Principles that had been virtually abandoned subsequently to their first avowal, even during an intermediate and inveterate war, and during the prosecution of a trade which is now interdicted and alleged to be illegal, but which trade was at that time sanctioned by the promulgated decisions of her courts, and by an official communication from one of the highest organs of the very government which is now attempting to destroy it, and with its suppression to annihilate, or greatly diminish the commerce of neutral nations.

From the decree of the lords of appeal in the case of the Essex, Orne . . from the judgment of sir Wm. Scott, in several other cases since that decree, in direct contravention of his former decisions—from the multiplied arrestations and detentions of American vessels, of which every arrival furnishes a more extended list—there is great cause to apprehend, that the British government mean to set up as a principle, —*That she has a right to interdict all commerce by neutrals to the ports of her enemies, which ports had not been open previously to the commencement of hostilities—that if she permits a trade with them in any degree, she has a right to prescribe the limits of it—to investigate the intention of the parties prosecuting it, and if such intention be not the actual disposition of the property in the neutral country, to consider the merchandize, even after the importation into such country, after having been landed therein, warehoused and the duties paid on it, as only in the stage of a continued and direct voyage from the colony to the mother country, or vice versa, and therefore illegal, and liable to condemnation.*

Speculating upon the apparent avowal of these principles, the vice-admiralty judges of Great Britain, the officers of her ships of war and cruizers, seem to consider them as the signal for harrassing and arresting neutral commerce, and vigilantly acting in conformity with these impressions. We find that scarcely an American vessel can pass the Bahamas, the streights of Gibraltar, or the English channel, without being seized, in some cases condemned, and in others released either without damages, or with the conviction, that the demand for compensation would be attended with greater expense than would be defrayed by a successful pursuit of it.

In some instances, your memorialists find new vessels on their first passage from the United States to Europe, arrested, carried out of their course, and injuriously detained under the vexatious pretence of a continuity of voyage from the country or colony of a belligerent.

In another instance they have witnessed a vessel captured and condemned under the most frivilous pretext, when in the prosecution of an acknowledged and permitted trade, under circumstances which banished every shadow of doubt, as to the real destination of the vessel, the indentity of the owners, or the actual intentions of the parties.

Your memorialist allude to the case of the Indus, Myrick, which vessel was owned by gentlemen of this town, not engaged in commission business—possessing very abundant capital to undertake large and distant enterprizes, and the fairness of whose intentions or conduct, has never been questioned or suspected.

The Indus proceeded from Boston to Batavia, there purchased a cargo, and on the return therewith to Boston, was dismasted, and after suffering severely from the elements, obliged to put into the Mauritius—on her arrival there, the ship was found too much injured to prosecute the voyage, was condemned as not sea-worthy, and sold.—The captain not being able satisfactorily to dispose at the isle of France of that part of the cargo which remained after defraying the expenses, purchased another vessel, gave her the same name, put on board the residue of her original cargo, and completed his loading with freight belonging to citizens of this town;—with this remnant saved from his misfortunes, he proceeded on the voyage, and had nearly reached the mouth of our harbor, when his vessel was captured by a British cruizer, carried into Halifax, and there by the vice-admiralty court condemned, because among the papers were found, a memorandum reminding the captain after his arrival within the harbor of Boston, to insert in the manifest to be delivered at the custom house, that the ship was bound "for Boston and Embden,"—a provision merely intended to operate in case of the restoration of peace before the return of the vessel, and which, as the laws of the United States were, when she departed from Boston, was needful to enable her to proceed to Europe without unloading the cargo, or the payment of duties; and which provision, the captain must have been well convinced, was rendered wholly nugatory with the second ship, because when he left the United States he knew, that if any part of a cargo was entered the whole must be landed; and having taken freight which he was obliged to deliver here, there no longer remained an election respecting the termination of the voyage, and that it must of necessity be concluded at Boston.

The precautionary memorandum to insert in the manifest after the arrival of the vessel in the harbor, the words "Boston and Embden," was practised at the time for the same purpose by many of our most correct and intelligent merchants and is no evidence of an intention to avail of the permission which it gave to proceed to Europe. In the case of the Indus, the owners have disavowed most formally, under the existing political state of Europe, any intention of continuing the voyage; and this asseveration, is corroborated by the strongest collateral evidence it is possible to adduce—the same orders having been given in previous enterprizes, in none of which had the permission been availed of—but in every case in which they were interested, the cargoes had been actually landed and sold in the United States, notwithstanding a similar declaration in the manifests.

In another case, your memorialists learn, that a vessel (the Aurora, Hall) belonging to Portsmouth in New-Hampshire, after having carried out a cargo of innocent merchandise, the property of natives and merchants of this town, to the neutral port of Leghorn, ordered from thence with specie to Calcutta, and from thence to return with a cargo to this place, has been arrested in the progress of the voyage, carried into Gibraltar, and may probably be condemned, because her outward cargo consisted of colonial produce, and because the captain was permitted by his orders to stop at the isle of France, on his voyage to Calcutta, and to avail of the state of the markets there, should they be favorable to procure a return cargo for Boston; thus embarrassing a trade, which, whether prosecuted to the one place or to the other, has by all parties been considered as open, and extending the taint of a cargo of colonial produce further, than by most nations is attached to a loading of articles wholly contraband of war, for it is admitted by them even in that case, that the offence is deposited with the cargo, and ceases on its delivery.

Your memorialists will not proceed to fatigue the attention of government by citing cases, which they presume, so soon as regular documents can be obtained, will be transmitted in precise statements to the department of state. These few instances they

have thought it needful to notice, in order to demonstrate, that unless the present disposition of British admiralty courts, and navy officers can be counteracted and removed, a widely dispersed and unprotected commerce, extending to every region of the globe, will only serve to invite depredation, to bankrupt ourselves, and enrich others, until such commerce be swept from the face of the ocean, and leave nothing in its stead, but sentiments of hostility, and acts of contention.

Without entering into elaborate disquisitions, your memorialists request permission to make a few remarks on what they conceive to be the principles assumed by Great Britain.

1st. It is contended by Great Britain, that she has the right to interdict entirely a trade by neutrals to the ports of her enemies, such ports not having been open to them in time of peace, and that having the right to interdict this trade altogether, she has, a fortiori, the right to modify it as she pleases—and of consequence, if an enemy nation should remain in a state of war for half a century, any alteration of her colonial system, which, very probably the progress of events might have produced in time of peace, shall not be permitted to her, even should there have taking place during that time, a total and acknowledged revolution of her government, and an abolition of all her ancient systems.

2ndly. That having allowed a direct trade between the colonies of her enemies, and neutral countries, she has a right to say, that such trade shall cease and determine in the neutral state—and that to prevent its further progress, she has the right to examine in all cases, to whom property found on the ocean belongs—to trace the evidences of a continuity of trade—to investigate the latent intentions of neutral merchants—to discriminate between importers and exporters—and then to accord to one part of a community, what she denies to another part.

A tacit submission to pretensions thus lofty and comprehensive, but which your memorialists trust are most of them untenable, would, they conceive, be an abandonment of rights openly recognized, and a direlection of the most important commercial interests of our country.

Reason and the most powerful considerations of equity enjoin it as a duty on the United States to oppose these pretensions; for circumstanced as these states are, possessing an immensely extended and fertile territory, producing mostly the necessaries of life, which, with the merchandize obtained from abroad by the industry and enterprize of her citizens, she is obliged to barter or furnish in payment for importations of foreign produce or manufactures—it behoves her, strenuously to contend for the right of an open commerce in innocent articles between other nations that are willing to accord with it and herself; for if the right be not both claimed and admitted, scarcely any of the European powers can in future be engaged in warfare, without making the United States, in opposition both to her efforts and wishes either a victim or a party in the contest; for it is well known that the trade of this country with nearly all the colonies of European powers is carried on by occasional permissions, and by partial relaxations of the prohibitory system, and if the British contend, that the port of Batavia shall not be opened to neutrals in time of war, because it has ordinarily been closed against them in periods of peace—that the temporary permission to trade there, was extorted merely by the pressure of the maritime superiority of Great Britain, and that to relieve this pressure by the purchase of Javencse produce was counteracting the effect of her arms, and giving aid to her enemies in the war. It might with equal force, by parity of reasoning be contended by France, or any other nation at war with Great Britain, that the limited permission given to the United States to trade to Jamaica in articles of the first necessity, was evidently granted with reluctance, and was extorted by the power of their arms on the continent of Europe; that to oppose and counterbalance these, Great Britain was necessitated to victual and man immense fleets, and to organize and support numerous armies—that to provision these fleets, and to provide for these armies consumed all the produce of her country—that not having any articles of subsistence to spare, she must therefore either abandon her colonies to famine, or reduce or distress her armaments by diverting from them, part of the supplies destined to their support—and that for the citizens of the U. States to step in, and avail of even a six weeks permission to supply her colonies, and thus prevent their falling an easy pray into the arms of France from the pressure of their own necessities, was actually giving aid, and comfort, and existence to the enemy of France, was in effect making a common cause with her, and of course rendered the vessels of the United States, when captured in the prosecution of such trade, lawful prizes to the cruizers of France.——Thus your memorialists conceive these pretensions afford constant sources of collision, continually tending to involve these states in the issue of European wars, and would oblige the government on the occurrence of such wars, speedily to unite with one or other of the parties in order that the commerce of the country might lawfully avail itself of some degree of security, from the protection which its own force, and that of its allies could afford.

To this state of things your memoralists believe it can neither be the interest nor wish of the British government, to reduce our country.

The right of internal commercial regulation in articles of an innoxious nature is one of the essential and inherent rights of every independent sovereignty and with the exception of a trade to blockaded ports, or in articles contraband of war, every government has a right to sell the surplus articles of its manufactures and produce to neutral merchants, who on their part, so long as they confine themselves to a fair and honorable course of dealing, purchasing exclusively for their own account; and refusing to cover the property of a belligerent, are entitled to the protection of their own, and the respect of other governments—for the most tenacious advocates for the rights of belligerents admit, that during war, neutrals have a right to enjoy in the utmost latitude the trade to which they had been accustomed in time of peace. Now if a belligerent has a right to blockade an extended sea coast, and to exclude neutrals from perhaps fifty different ports (as was the French ports in the channel during the last war) how can the neutral enjoy his usual peace trade in its greatest latitude, unless this deprivation is balanced by another trade which is opened to him during the war?

As to the inquisitorial right of search into the ownership of neutral property set up by Great Britain, and the doctrine appended to it; that a neutal importer shall not again export his goods, but that they shall be first alienated and passed into the possession of others—Your memorialists believe them to be unsound in point of principle, offensive in practice and nugatory in effect—for the importation of merchandise into a neutral country, landing it, payment of duties on it, and exposing it for sale as fully domesticates such merchandise, and makes it as much a part of the marketable stock of the country as the corn which is raised in its fields, or the beef that is fatted on its mountains; and thence

forward it becomes as much the right of one citizen as of another, to export, or appropriate it, as he chooses, and the attempt by another government subsequently to discriminate, and to deprive a neutral merchant of the right to purchase a cargo for exportation, because possibly he owned a fiftieth part of it on importation, can only excite irritation—invite collision—lead to fictitious sales, and eventually would diminish in a very small, if in any degree, shipments of foreign produce.

This doctrine is probably more injurious in its operation to the U. States than to any other country. Second to no nation on the earth in enterprize, her citizens are yet inferior to those of many other countries in capital—hence arises the necessity of numerous associates from the right of any subsequent trade in articles derived from adventures in which they had been concerned, to perhaps a very small amount, and which adventures after the arrival in the United States, are as much terminated, so far as respects a continuity of association, as if the property had been sunk in the ocean, and thus to throw advantages into the laps of their neighbors from a participation of which they are interdicted, is manifestly arbitrary and unjust.

Your memorialists would with reluctance believe that the *sacred tribunals of justice have become subservient to motives of political expediency*, more especially in a nation whose judicial proceedings have frequently deserved and commanded the respect of all civilized countries, yet they know not easily how to reconcile on any other ground the *contradictory proceedings* of the British admiralty courts during the last and present war.

In February, 1800, there came on for final adjudication before the high court of admiralty in Great Britain, the case of the Polly, Laskey. This was a vessel bound from Marblehead to Bilboa, captured, and carried into England, because she had on board 249 boxes of Havanna sugars, and 30 hhds. of Carraccas cocoa, the produce of Spanish colonies, and was brought to trial, principally under the pretence that, as she was carrying those articles to a port of Spain, the trade was in effect a direct one between the colony and the mother country, and therefore illegal, and subjecting the property to condemnation.

The Polly was owned by a merchant of Marblehead, who in his attestation declared, that he had been in the habit of trading both with old Spain and with the Havanna. In evidence on the trial it appeared, that the Polly on a previous voyage had been to Bilboa—that she took from thence bills of exchange on the Havanna—that with these bills, she in part paid for the identical sugars which were found on board of her at the time of capture—that for the residue of the purchase, bills were drawn from the Havanna on the house in Bilboa who did the business of the vessel on her former voyage—and by the certificates of the collector of the customs at Marblehead, it appeared that the sugar had been imported from the Havanna on board the Polly in June, and exported by her to Bilboa in August—the intermediate time being employed in repairing the vessel, and preparing her for the voyage. It also appeared by the deposition of the mate, that the captain had destroyed some of his papers.

A case more pertinent to the question at issue, or more strongly marked, could scarcely be imagined by the strongest powers of invention.

For the captors, there appeared the king's advocate (undoubtedly one of the ablest jurists in the nation) and Mr. Arnold. In delivering its judgment, the court asked, whether it were contended that an American could not purchase articles of this nature, and import them bona fide to America on his own account, and afterwards export them? It was answered, no—The court then stated, that an American has undoubtedly a right to import the produce of the Spanish colonies for his own use, and after it is *imported* bona fide into his own country, he would be at liberty to carry them on to the general commerce of Europe. The vessel and cargo were restored to the neutral claimants.

In 1801, in consequence of a decree of the vice-admiralty court at Nassau, condemning the cargo of an American vessel going from the United States to a port in the Spanish colonies, with a cargo consisting of articles the growth of old Spain—our highly respectable and able minister at the court of London immediately addressed lord Hawkesbury, his majesty's secretary for foreign affairs, and remonstrated in a respectful, but firm and dignified manner, against this infringement and violation of the rights of neutrals. The remonstrance met that prompt attention from the British government which its merits demanded. The subject was referred to the consideration of the advocate general, who reported, that the sentence of the vice-admiralty court at Nassau was founded in error,—that it was now (1801) distinctly understood, and had been repeatedly so decided by the high court of appeals, that the produce of the colonies of the enemy may be imported by a neutral into his own country, and may be re-exported from thence even to the mother country of such colony; and in like manner, the produce and manufactures of the mother country, may in this circuitous route *legally* find their way to the colonies—that a direct trade had not been recognized as legal, and the decision of what was, or was not, a direct trade, was a question of some difficulty, but that the high court of admiralty had expressly decided, and the advocate-general saw no reason to expect the court of appeals would vary the rule, that landing the goods, and paying the duties in the neutral country, breaks the continuity of the voyage, and is such an importation as *legalizes* the trade, although the goods be re-shipped in the same vessel, and on account of the same neutral proprietors, and forwarded for sale to the mother country.

The report of the advocate-general was accepted by the British government, immediately transmitted by lord Hawkesbury to Mr. King; and by his majesty's express command, communicated by the duke of Portland, the principal secretary of state, to the lords commissioners of the admiralty, with the information, that it was his majesty's pleasure, that the doctrine laid down in the advocate-general's report, should be immediately made known to the several judges of the vice-admiralty courts, setting forth to them what is held to be *law* upon the subject, by the superior tribunals, for their future guidance and direction.

Thus are obtained so recently as within five years, the deliberate opinions on the subject under discussion, of the most eminent English civilians, and of the high court of admiralty, corroborated (if one of the first law officers of the crown may be credited) by the repeated decisions of the same court of appeals, which by its late and contradictory decree in the case of the Essex, Orne, has caused so disastrous an arrestation and condemnation of American property.

Judgments thus perspicuously stated, and enforced by the highest authority, it was fair to consider as intended for a beacon, to direct to the channel, through which neutral commerce might be prosecuted with security. It is hoped the event will not prove, they were a mere ignis fatuus to ensnare the innocent and unsuspicious.

At any rate, whether the doctrine were sound or not, or whether it injured Great Britain or not, it cannot become the integrity and magnanimity of a great and powerful nation, at once, and without notice, to reverse her rule of conduct towards other states, and to prey upon the unprotected property of a friendly power, the extension of whose commerce had been invited by the formal avowal of her intentions, and prosecuted under a reliance on her good faith, and from the confidence reposed, that her courts—uniform in their principles—would never be influenced by the time-serving politics of the moment.

But whatever may have been the motives for the proceedings on the part of Great Britain, the effect is notorious. From her recent conduct, great losses have been sustained, our commerce has been checked and embarrassed, and large quantities of produce are now remaining locked up in this country which were purchased for foreign markets, because our merchants cannot send it abroad, without taking risks on themselves which prudence would not justify, or without paying such rates for insurance as the trade of the country cannot afford.

Thus circumstanced, the merchants of Boston have thought it their duty respectfully to make known their complaints to the government. Believing the citizens of the United States desirous of cultivating relations of amity with the whole human race, and particularly connected as they are with Great Britain, by habits of constant intercourse and by mutual wants, they cannot but hope, that like dispositions are entertained by the British nation towards this country, and if measures were speedily taken for the amicable discussion by negociation of our complaints, that a sense of her own interest, and a respect for the rights of others, would induce her to depart from her present measures, and to conduct towards us with justice and liberality.

Under this persuasion, and without meaning in the smallest degree to derogate from the talents or attention of the American minister at the court of London, the subscribers, with deference and humility, beg leave to suggest, whether, when so important national interests are at stake, a special mission would not carry with it great influence, and be very instrumental in the accomplishment of our reasonable wishes.

In all events, fully relying that the subject of our differences with Great Britain will receive the due consideration of government, and that such measures will in consequence be promptly adopted, as will tend to *disembarrass our commerce*—ASSERT OUR RIGHTS—AND SUPPORT THE DIGNITY OF THE UNITED STATES.

Your memorialists have the honor to remain, in behalf of their constituents and themselves, most respectfully,

JAMES LLOYD, jun.
JOHN COFFIN JONES,
DAVID GREENE,
GEORGE CABOT,
ARNOLD WELLES,
THOMAS H. PERKINS,
DAVID SEARS.

Attest, ISAAC WINSLOW, jun. Sec'ry.

## Degradation of the Press.

The following articles, so completely expose the condition of the *British Press*, and contain so many important things, that are certainly true, that we could not refuse to record them for the guidance of our readers on receiving intelligence, first so mangled "*at home*;" and then, re-clipped and doubly obscured by *kindred spirits* in the United States.

FROM COBBETT'S WEEKLY REGISTER.

*London, September* 18.

CONTINENTAL WAR.—From the moment of the re-commencement of this war, I was of opinion, and I expressed that opinion, that Bonaparte would defeat the Allies; that he would break up the coalition; and that he would then dictate terms to his enemies. My reasons for this opinion I have given at length—and I have heard nothing, from any quarter, in answer to those reasons. It is impossible, to restrain one's indignation at viewing the endeavors which are used, by the press of both the political factions in this country, to prevent the people from coming at the real truth with regard to the prospects in the war, and even with regard to events which have actually taken place. The French Bulletins, which will be found in another part of this paper, give a complete history of the campaign up to the 30th Aug. and from these bulletins it appears, that the Allied army, commanded by the Emperors of Russia and Austria and the King of Prussia, had been defeated by the French army under Bonaparte with the loss of sixty thousand men, sixty pieces of cannon, and forty stand of colors. Is there any one in his senses who doubts of the truth of this statement? I do not believe that there is any such person in England, if he has been accustomed to compare the statements of the French Bulletins with the facts as they have afterwards proved to be. Indeed, none but those whose wish, and, indeed, whose business it is, to deceive the people, can doubt of the truth of this statement on the part of the French. If the statement be true, it appears to me, that very little further resistance will be made, by the Austrians, at least. They have received such a blow at the outset as to sicken them. There will, doubtless, be more battles fought; and, it will be hard, indeed, if our new friends, Bernadotte and Moreau, do not give us some little proof of their skill and courage; but I really do not expect that we shall hear of the grand French army meeting with a serious repulse. I expect to hear, that that army has been, with very few exceptions, as rapid in gaining victories, as during any former campaign. In the meanwhile, it is right to notice (though, perhaps it may produce no good effect) the frauds which have been practised in England, with a view of deceiving the people with regard to these important events. During the former part of the last week, it was stated in the London newspapers, that Bernadotte had attacked the French army, had gained a great victory over it, and had killed one French Marshal, and mortally wounded another. This lie served to feed the thinking people of England for three days.—At the end of that time the French papers had

come to hand, and had discovered, not only that Bernadotte had gained no victory at all, and had merely been able to stand his ground for a little while, in the face of a mere detachment from the French army; but these papers also informed us that the Allies had been defeated by the French, in the manner above stated. The manner in which it was contrived to keep this latter fact from the public for three days, is very curious, and deserving of a particular account put upon record. There is nothing in which the people are more interested than in the means that are thus made use of deceive them. They are constantly told of the deceptions practised upon the people of France. They are bidden to be proud of the freedom of the press, which exists in their own country; they are bidden to compare the political sunshine in which they live, with the darkness in which the people of France are kept. And, yet they are at the same time the most completely duped of any nation that ever existed in this world. Not to suffer men to print at all upon the subject of politics and political news; this is not the way to deceive the people; this is not the way effectually to keep them in the dark as to the truth. The way to effect this purpose is to have a press, which the people shall regard as being free, and which, from the workings of various unseen wheels, from an influence flowing through numerous obscure and intricate channels, shall convey to the people falsehood instead of truth. He who knows nothing of any event that takes place, is in a better situation, in point of knowledge, than he who believes that which is false with respect to the events which take place. No knowledge at all is better than a belief that you know facts, of which you really know only the contrary. The man who has lost a horse, which has been stolen, and taken towards the East, is in a worse situation, from believing that the horse is gone towards the West, than he would be in, if wholly at a loss to guess which way his horse was gone. To leave hounds at a fault, is much better than to call them off and put them upon a wrong scent. These are almost self-evident propositions; and upon the principle on which these propositions proceed, we may, I think, safely affirm, that it would be better for a nation to have no press at all, than a press which feeds it with falsehoods. A press which has no pretensions to freedom; a press like that of France, which is well known —which is openly avowed, to be under the previous inspection of the government; a press, like the press in India, which can send forth nothing which has not first received the approbation of some officer under the government, who, sometimes, crosses out advertisements, if they relate to publications which he disapproves: I say, that a press like this is less mischievous, because less calculated to deceive, than a press which the people believe to be free, but which is, in fact, under the control of those, who find it their interest, ninety-nine times out of a hundred, to publish falsehood and not truth. Such a press as this is the grand instrument of deception, of delusion, of producing in a nation a total perversion of the mind; and such a press now exists in England.

The people of France read the newspapers as publications made by the government, and, of course, they believe no more of them than they see supported by real acts and occurrences. They judge from the evidence of their senses; and, accordingly, they are not deceived. But the people in England, looking upon every editor of a newspaper as being at perfect liberty to say what he thinks, and more especially to publish true accounts of what is passing in the world; and the said people, not being able to get behind the curtain, to see the reason why editors of papers should prefer falsehood to truth, naturally believe all that they read; and therefore, they are, as to political events, the most deceived people in the world. There are certain documents, however, which, though calculated to circulate disagreeable truths, it would be impossible to suppress; because, through some channel or other, such documents, like the famous 'Book,' would find their way into print; and this would totally blast the reputation of those newspapers, whose business it is, not only to promulgate falsehoods, but to cause them to be regarded as truths. The way they go to work, therefore, when they get hold of one of these documents, is to keep it back, in the first place, as long as they can; but this cannot be done for any considerable length of time. Seldom for more than *forty-eight hours*. During this interval, they go to work with both hands, to weaken the effect of the document upon the public mind. With one hand they make a sort of summary of the contents of the document, in which summary they contrive to break down the document to about one-half of its real force. To this summary they subjoin a commentary of their own —in which they endeavor to show, that the facts related in the document cannot be true; or, if true in part, only to a trifling extent — At the same time, with the other hand, they introduce some piece of intelligence of a very favorable nature. This is, in general, intelligence wholly invented for the purpose.—— Hatched, as the saying. It usually makes its appearance under the head of "SECOND EDITION," printed in enormously large letters, and gives an account of some very signal victory on our side. The union of these two tricks weakens the effect of the adverse intelligence at its first going forth. The next day nothing is said of the good news announced in the second edition the day before. It

passes, of course uncontradicted, as believed by a vast majority of the people; and becomes recorded in their minds as true. The writers of these newspapers; the literary impostors who play these tricks, know very well, that the well-informed part of the community regard them as most impudent and profligate scoundrels; but they also know, that ninety-nine persons out of a hundred, are not well informed, and to a great part of the remainder they know that falsehood, even glaring falsehood, in the shape of good news, is more pleasing than truth, in the shape of bad news: and with this knowledge in their minds, they pocket the profit of their impudence, and laugh at the contempt of the sensible few. If I want any thing to convince me of the vast importance of the repeated victories of Napoleon, I should find it at once in the tricks of these men in announcing to the people the account of those victories.——The London press was in possession of the French bulletins on Thursday, the 9th inst. It took very good care not to publish them till Saturday, the 11th inst. In the mean while it was at work in the manner before described; and I appeal to every reader who lives in a country town, whether he did not believe, during the whole of Friday and Saturday last, that the French army had been defeated by the allies? Such, I will venture to say, was the general belief through the whole kingdom. At last, on Sunday morning, the French bulletins themselves reached the people in the country, at this distance from London. But, good use had been made of the lapse of time; for there were not only commentaries, the object of which was to show that the French bulletins could not be true; but there were victories hatched for Bernadotte, and bulletins hatched in his name, announcing such victories, which appear to have been wholly invented for the occasion; it being manifest that in the slight affair in which he was engaged, he gained no victory at all. The *typographical* trick played off upon this occasion, is worthy of notice. The whole mass of intelligence had for title these words: "*Victory gained by the Crown Prince—Great battle near Dresden.*" Only observe this trick! it was a VICTORY gained by the Crown Prince; but, it was only a *great battle* near Dresden, though the impostor well knew, that in half a minute from the reading of the title, every one must see that this great battle ended in a most tremendous victory gained by the emperor Napoleon —— But half a minute was something! Half a minute was a great deal as to the intelligent reader; and, as to the mass of readers, they would take care (most thinking people as they are) to carry the title full in their minds while reading the whole of the intelligence. And yet, with these tricks daily under our eyes; with these at once impudent and sorry tricks constantly staring us in the face, and with the success of these impostors well known to us all, we have the shamelessness to pretend, that the people of France are less fairly dealt with than the people of England, with regard to political intelligence! If I may be permitted to step aside for a moment, I will avail myself of it to observe, that in private concerns as well as public concerns, the English press is a base and mischievous deceiver. There are hundreds of men, who, without any fair pretensions to public esteem or admiration, have gained great celebrity—have become persons of great public consideration, and have even pocketed the profits of their reputation, in consequence of nothing but the judicious employment of their money with those who have the press in their hands. I have in my eye a man who, without one grain of talent, without one sentiment of honor, performing for years functions very little above those of a mere pimp, was regarded by the mass of the people of England, as the man above all others distinguished for refinement in all the notions of the higher order. A creature more completely devoid of real honesty, more puffed up with vanity, more weak in head or hollow in heart, more worthy of the epithet of *dirty* put before his name, does not, perhaps, exist in the whole world; and yet, through the means of this detestable press, he was throughout the kingdom, regarded as the profoundest of statesmen, and as the very pink of honor. It would be a curious thing to ascertain what is the actual amount of the money received at the different newspaper offices in payment of of the praises they bestow upon individuals, or the inventions or property of individuals. I do not mean what they receive for those honest puffs which the lottery proprietors or the venders of medicines put in the newspapers. There is nothing unfair in these; they are avowedly puffs: but what I complain of, are those paragraphs, which appear as if written by the editor himself, and which begin with a "We:" when, perhaps, he has never read them, or even seen them, they having been received at the office by the clerk, who, upon being paid the price of them, according to their length, has sent them up stairs to the printer for insertion. This praise, as well of the dead as of the living, is actually to be bought in London by measure; as one buys woollens and linens. The clerk to a newspaper office has a *guage*, by which he will tell in a moment, the stated price of any article that you present to him. There are, indeed, certain cases, where the *quality*, as well as the quantity, is taken into view. For instance, if the party praised be notorious and even proverbial for every species of villainy, the price is high to obtain the praise of being possessed of every virtue. It would have cost Nicholson, who seems to have been a murderer by

instinct, many hundred pounds, if he had had them, to obtain any thing like a decent apology for his conduct; and, perhaps, it did not cost a trifle to attribute to motives of wonderful delicacy, Goldsmith's blowing of his own brains out, and to make it appear that his corpse, in place of being buried in a cross road, was hardly sufficiently honored by being deposited in the earth amidst the lamentations of the full congregation of the children of Israel. And we are the people, are we, who have the effrontery to point the finger of scorn at the French people on account of their being kept in darkness by the press! To return to our subject—it appears that Moreau has made his exit from this nether world.—The Courier newspaper seems to lament this exceedingly, and so do I too: for I should like to have seen him live out the campaign, in order that the world might see how many soldiers of the French army would have gone over to him. The French newspapers speak the voice of the government, or, they speak not at all. But all the papers, except the official paper, may *keep silence* if they please.—They are at liberty to refrain from speaking; and therefore, I look upon the following article, which is taken from a French newspaper, as expressing pretty fairly the sentiments which the people of France entertain with regard to the conduct of Moreau.

"*Paris, September 5.*—The ex-general Moreau arrived at Prague on the 20th August. Some people appeared to doubt his arrival on the continent, and his connexions with the enemies of his country. There can no longer be any doubt on this subject. This ex-general, who has for a long time resided in America, has, without doubt, heard talk of general Arnold, so celebrated in the American revolutionary war, and who, after having gloriously fought in the ranks of his countrymen, conspired against the government of his country. The conspiracy being discovered, the traitor offered his services to the English, who made use of him, by despising and condemning him to inaction and oblivion. The name of Arnold, dishonored in history, is never mentioned in America, without being accompanied by some disgraceful epithet, and children even only pronounce it with execration. Why did not such an example deter the ex-general Moreau? But he chose rather to throw off the mask, and by new steps justify the opinion of all intelligent men, whom his hypocrisy had not been able to deceive. There he then has joined the Russians and Prussians! This intelligence has dissipated all illusions respecting him. Public indignation is pronounced against him; it will pursue him to the tomb, and deliver up his name to the justice of posterity. In all times, in all countries, the man who joined the enemies of his country, lost all his titles to consideration, and did not even fail to excite contempt in those who profited by his treason. On this head, the sublime words of that model for French warriors, the chevalier Bayard, are known. He was mortally wounded fighting against the imperials, at whose head was found the constable Bourbon, who had basely sold himself to the enemies of France. The traitor arrived near Bayard, and seeing him ready to expire, could not restrain his tears—"Do not weep for me" said the chevalier, *without fear and without reproach*, indignantly to him; "weep for yourself for having betrayed your country and your oath."

These, I take it, are the real sentiments of the great body of the French people. They are not the sentiments of our newswriters, who, while they commend the ripping out of the quivering bowels of Englishmen, found fighting against England, bestow the boldest praises on a Frenchman, who, after having been raised from poverty to riches in the armies of France, comes from America to Europe to volunteer his services in the armies of her enemies. These gentlemen have surely never read the holy scriptures, which expressly forbids the using of *two weights and two measures*. No, these gentlemen never read the scriptures, or they would remember that men are to be judged by the rules and maxims by which they judge others; and, if it be a crime worthy of the most terrible of deaths in an Englishman to fight against England, by what logic do they think the world is to be convinced that it is a meritorious act; nay, even an act of patriotism in a Frenchman to fight against France? They will say, perhaps, that Moreau does not like the government of France, and that he thinks that the man at the head of that government ought to be put down. In short, that it is not France that Moreau is fighting against, but against Bonaparte. Indeed! and do you think that an Englishman, found fighting against England, would not be able to make the same sort of apology for his conduct? I will warrant it, that there is no man, amongst all those that have been executed by us for this crime, who would not have saved his life, if it could have been saved upon a similar plea. Decency, one would think, common decency would be sufficient, if we had any sense of it, to restrain us from praising this man's conduct; but if we are not to be restrained by that sort of feeling, surely we ought by a reflection on the danger, which such an example might possibly have upon our soldiers and sailors.

WILLIAM COBBETT.

Botley, 14th Sept. 1813.

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*The following extract from the* London Monthly Magazine, *a work of the highest reputation, (for June last) finishes the picture that* Cobbett *has drawn of the* British Press:

"We have, during successive months, warned our readers against the mischievous political delusions spread with apparent system by most of the London newspapers. All the benefits of a free press seemed suddenly to be lost to the free pople of Engla nd; and the "*Cossack Hurrah*" appeared to have bent the minds of Englishmen to a yoke of meatal vassalage, almost as degrading as that of the wretched Siberians. We do not affect to trace so disgraceful a change to its sources, because they are probably so complicated as to evade our analysis; but we will state some facts relative to the present condition of the London press which ought to be made known through an independent channel, and leave it to our readers to draw inferences and connect cau-

ses with effects. It seems that owing to the *re-action* of political animosity, the intercourse with the continent became a few years since so uncertain and dangerous, that the newspapers found it difficult, and always very costly to procure foreign intelligence. As high a sum as 50*l.* or even 60*l.* was frequently paid by a single paper, or by a union of two or three papers, for any series of new foreign gazettes. There seemed in fact to be no limits to the competition that might be excited among the rival papers, nor to the cupidity of masters of vessels, who smuggled the documents from shore to shore. At length, as a measure of self-defence, the proprietors united in an arrangement with the Post offices, thro' which, in future, they were to be supplied simultaneously with the same extracts from the French papers.

The terms were to be 84 guineas per week, that is, 42 guineas from six morning papers, and the same sum from as many evening papers as could be induced to unite in the subscription. The latter could not agree in the arrangement and two of these papers alone shared the expense for a considerable time. At length these abandoned it also, and the 84 guineas are now paid by six morning papers, at the rate of 14 guineas each per week, or 12 guineas per day, because the Moniteur is published every day without intermission. None of the editors therefore *see the foreign papers from which they publish their extracts, and we are told the inspection of them has been denied when desired on particular occasions.* In stating these facts, however, we blame no one for making, imposing or submitting to arrangements which under all the circumstances might be unavoidable. Our sole object is simply to enable the public correctly to estimate and qualify the credit which is due to foreign intelligence so selected, and fully to understand the present mode in which it is brought before them. The selectors and translators may do impartial justice: but in all questions in which truth is to be separated from falsehood, we like to take as little as possible on trust; and in politics, like commerce, the best security of the public is the free competition of candidates for public favor, and the best data on which to form judgments are those which arise out of the collision of opposing interests and opinions."

# Events of the War.

## MISCELLANEOUS.

*The lakes.*—We are daily becoming better acquainted with the many interesting particulars that belong to these insland seas. The winds upon them appear much more uncertain than they are on the ocean; and they are also more subject to storms. The U. S. schooner *Chippeway*, sailed from *Put-in-Bay* for *Malden*, on the 10th ult.—within a few miles of *Detroit* river she parted with her anchor and was driven with great impetuosity and danger down to the lower end of the lake, under her bare poles, near *Buffalo*, where she beached. The crew and passengers were all saved but one, who left the vessel and attempted to make the shore on an oar; and a considerable quantity of baggage was lost, but the schooner was got off without much damage. All the rest of our vessels were in safe harbor. The lake rose nearly eight feet. The *Buffalo* paper says that while the storm raged many *water spouts* were observed on the lake, "one of which was very large, and the others smaller. The first appearance was like a whirlwind on the water, which raised a spray of a large diameter to a considerable distance in the air, from the top of which was seen to rise a column of water increasing in size until it was lost among the clouds."

*A good appointment.*—Certain persons of *Philadelphia*, associating for the purpose of celebrating our late victories, held their meeting at the sign of the *"Lion turned upside down."*

*"Aid and comfort to the enemy!"*—It is stated in the *Albany Argus*, that a suit of *superfine Berkshire* (Ms.) *cloth*, has been sent as a present to the Prince Regent of England. It is thought it may prove a good negociator.

Facts are developing themselves to shew that the *Spaniards* at Pensacola are deeply engaged in the late proceedings of the *Creeks*.

One of the passengers in the ship *Erie*, reports, that he understood that Messrs. *Gallatin* and *Bayard* had left *St. Petersburg*, the latter end of August, without effecting any thing. It is further said, that they had not been received at that court by any one, as official characters——*which we do not believe.*

A letter to the editor from Chilicothe, states it as a thing believed, that *Brig. gen. Tecumseh* was killed in the fight on the *Thames*.

The '76 association at Charleston, S. C. have voted a sword to their "absent member" lieutenant *John J. Edwards*, of the Niagara.

A piece of plate to the value of $400 has been voted to commodore Perry, by the citizens of Newport, R. I.

At a special meeting of the common council of *New-York*, a motion was made to present major-general Harrison with a sword and the freedom of the city, as the like had been bestowed on *Decatur*, *Perry*, &c. But the motion was negatived. Ayes 5, noes 12.

The prisoners taken by *Perry* have arrived at *Chilicothe*. Those made by *Harrison* are expected. Huts have been erected for their accommodation.

The Kentucky volunteers under *governor* Shelby, as well as *Johnson's* regiment, have been discharged, and are on their way home. Colonel *Johnson*, we are happy to say, is in a fair way to recover his many honorable wounds.

Steel's list, for Sept. 1813, places on the Halifax, Newfoundland, &c. stations, 71 vessels, viz. 11 of the line, 1 of 50 guns, 21 frigates, 15 sloops, 15 brigs, 2 cutters, and 6 schrs. In the West Indies, and on the passage, 68 vessels, viz. 6 of the line, 3 from 44 to 50 guns, 17 frigates, 16 sloops, 19 brigs, 3 cutters, and 4 schrs. On the coast of Africa, 4 sail, 3 sloops and 1 brig. South America, 28 sail, viz. 4 of the line, 3 from 44 to 50, 11 frigates, 3 sloops, 6 brigs and 1 cutter. Total at sea—583 vessels, of which 98 are of the line, 14 from 44 to 50 guns, 125 frigates, &c.

Earl Stanhope has formed a plan to counteract the American torpedoes—250 seamen are coming from England to man the fleet on lake *Ontario*, also 1200 troops for *Canada*, with some reinforcements for Bermuda and the West Indies. One of the 74's that went to fight the frigate President, in the northern seas, has returned to England, as well as she went forth, tear and wear only excepted. Nine of the late crew of the *Argus* have been separated from the rest of the prisoners on suspicion of being *British* subjects. The Erie brought despatches for government. In a late fleet that arrived in England from China and India were $1,000,000. The Madagascar frigate with *her guard*, the Centaur, of 74, has arrived in England, after four months cruize, without taking one prize, *though they chased a schooner*. Among the rarities in the London papers, are accounts of the capture of the *Macedonian* frigate, *at sea*, and *also*, of the destruction of our squadron in *New-London*.

LONDON, Aug. 24.—On Friday sen'night, a court martial was held on board his majesty's ship *Cladiator*, rear admiral FOOTE, president, on THOMAS MA-

NAL, seaman, belonging to his majesty's ship *Garland*, for desertion, and for being found on board the American brig of war *Vixen*. The court was of opinion that the charge was proved, but in consequence of circumstances, did adjudge him to receive three hundred lashes through the fleet, to forfeit all his wages, and to solitary confinement in the Marshalsea for 12 calender months.

The French naval force in the Texel is very considerable, several vessels are apparently ready for sea. Much vigilance is used to prevent communication with the British ships on the coast. The fishing boats that come out being escorted by gun vessels, to keep off the English barges.

It is variously reported that 4 ships of the line and 3 frigates, were about to leave France for New-York. The news comes through the English papers; which further say that out of the many prizes lately sent in, the French had got 157 volunteers to proceed in the frigates for the United States.

The dashing expeditions of our privateers have given new spirit to the *French*, who have latterly made many valuable prizes in the *British* channel.

*By William Henry Harrison, major-general in the army of the United States, and commander in chief of the 8th Military District,*

A PROCLAMATION.

The enemy having been driven from the territory of Michigan, and a part of the army under my command having taken possession of it, it becomes necessary that the civil government of the territory should be re-established, and the former officers renew the exercise of their authority; I have therefore thought proper to proclaim, that all appointments and commissions which have been derived from British officers, are at an end; that the citizens of the territory are restored to all the rights and privileges which they enjoyed previously to the capitulation made by general Hull on the 15th of August 1812. Under the present circumstances, and until the will of the government be known, I have thought proper to direct that all persons having civil offices in the territory of Michigan, at the period of the capitulation of Detroit, resume the exercise of the powers appertaining to their offices respectively. In the present dispersed state of its population, many officers are, doubtless, absent. In all cases thus situated, the last incumbent who resigned the office, will resume the exercise of its duties. The laws in force at the period above mentioned, will be re-established and continue in force until repealed by the proper authority.

Given at Head-quarters, the 29th day of September, 1813.

WM. H. HARRISON.

By the General,

JOHN O'FALLAN, aid-de-camp.

## MILITARY.

*Hampton's army*, at our last accounts, was on the south side of the *St. Lawrence*, at the *Carlow Rapids*, 15 miles this side of *Montreal*, and four miles from the British army under governor *Prevost*, said to consist of 5000 men, regulars and militia. *Hampton* was supposed to be waiting for the arrival of *Wilkinson*, who was reported at *Ogdensburg* on the 22nd or 23d inst. going down with about 500 batteaux.—The inhabitants of *Montreal* are said to be moving their valuable effects to *Quebec*. If these reports be true, and we think they may be relied upon, *Kingston* will be left for an after business, or to fall of itself, the resources being cut off.

Maj. gen. *Dearborn* has arrived at New-York.

Maj. gen. *Harrison* and his suit, with com. *Perry*, arrived at *Erie*, in the Ariel, from Detroit, on the 22d ult. and were received by the inhabitants of that place with rapture, with the thunder of cannon, illuminations, and every demonstration of joy, to the *deliverers of the frontier*. Commodore *Perry* proceeds to *Newport*, R. I. Gen. *Harrison* with his disposable force (supposed to be about 2000 regulars) proceeded with the troops the next day, and arrived at *Black Rock* on the 24th—expecting, it is said to go on immediately in the *Ontario* fleet, to join *Wilkinson* at *Sackett's Harbor*. But *Chauncey* is occupied in waiting upon Sir *James Yeo* at the other end of the lake. If gen. *Vincent*, or any British force, however, remains near the head of the lake, he may find something to do, and *will do it*. The force left at Detroit, is about 1000 regulars and 2000 militia, under command, we believe, of brig. gen. *Cass*. Captain *Barclay*, late commander of the late British fleet on *Erie*, accompanied *Harrison* and *Perry*, and it is thought will recover of his wounds.

From *St. Louis* we have satisfactory accounts of the measures that have been taken to meet and punish the Indians in that quarter. But, it is probable, that *Harrison's* victory has given peace to all the western country. The news of it will fly like wild fire among the savage tribes, and point out the necessity of submission.

A letter from Pass Christian, dated September 17, states that information had been received there of the arrival of a British vessel at *Pensacola*, having on board a large quantity of ammunition, and two *Seminole Indians*, who have the rank of *Brigadier generals* in the British service.

The following is given as a return of the volunteers and militia that have marched from *Kentucky*, since the declaration of war.

| | | |
|---|---|---|
| | TO THE NORTH-WEST. | |
| *August*, 1812.— | Commanded by gen. Payne and col. Wells, | 2,300 |
| | Commanded by colonels Pogue, Jennings and Barbee, | 1,800 |
| *September.* | Commanded by col. Richard M. Johnson, | 800 |
| | TO THE WEST. | |
| | Commanded by general Hopkins, | 5,000 |
| | TO THE NORTH-WEST. | |
| *March*, 1813.— | Commanded by general Clay, | 1,500 |
| *April.* | Commanded by col. Richard M. Johnson, | 1,200 |
| *July.* | Commanded by colonel Owens, | 600 |
| *September.* | Commanded by governor Shelby, | 4,000 |
| | Commanded by captain Butler, | 75 |
| | | 17,175 |

In addition to this list there were about two hundred men marched from this state by captains Hopkins, Graham and Price, which brings the number up to seventeen thousand three hundred and seventy-five. We cannot say that this statement is precisely correct. It may not be enough, or it may be too much by a few hundred. [*Ken. Gaz.*

It is stated that maj. gen. *Proctor* reached the British at Burlington Heights with only 17 men. The following "official"* account of his expulsion from the upper province has been published by the enemy.

MONTREAL, OCT. 18.

GENERAL ORDER.

The commander of the forces has the deepest regret in announcing to the army, that Lieut. Riffenstein, staff adjutant, arrived yesterday, and is the bearer of the following unpleasant intelligence. That major-general Proctor having sustained, by the unfortunate capture of the squadron on Lake Erie, the loss of a very considerable portion of his military force, which was serving on board that fleet, as well as the principal heavy ordnance necessary for the defence of his military positions—commenced his retreat from the fort of Sandwich on the 24th September, having previously dismantled the posts of Amherstburgh and Detroit, and burned and destroyed every public building and stores of every description.

The retreating regular force consisting of a small detachment of Royal Artillery, a troop of Provincial Dragoons, and the remains of the 41st regiment, in all about 450 rank and file—which was accompanied by a body of Indian warriors from 10 to 1500.

The enemy's fleet and army appeared off Amherstburgh on the 26th Sept. and landed on the following day, but soon re-embarked their troops and proceeded by Lake St. Clair, to the mouth of the Thames river. The American army was again landed, and accompanied by gun-boats, followed the route of major-general Proctor's corps, which, having been much retarded by the slow progress of loaded batteaux, they were enabled to come up with the rear guard and loaded boats on the third inst. and succeeded in capturing the whole. Major-general Proctor being thus deprived of the means of supporting his little army, was under the necessity of awaiting the enemy's attack; which took place at four o'clock on the evening of the 5th inst. near the Moravian village.

A six pounder on the flank, was, by some unpardonable neglect, left destitute of ammunition, and the enemy, availing himself of this unfortunate circumstance, pressed upon that part of the line which, wanting the support of artillery, was forced by the superior numbers of the enemy. Major-general Proctor, exerted himself to rally the troops, who, being exhausted with fatigue not having received any provisions the preceding day, were unable to make adequate exertions to resist the superior numbers by which they were assailed.

The safety of major-general Proctor, the officers of his personal staff, and some few others, together with about fifty men, has only

* A "British official" account and a *large falsehood*, are synonimous, yet we shall insert them as they reach us, to let the people see how *John Bull* is [illegible] ed.

as yet been ascertained. The Indian warriors retreated towards Mackedash.

The enemy's force employed on this service is estimated at from 10 to 12,000 strong, including troops of every description.

EDWARD BAYNES, Adj't Gen.

*Address to the inhabitants of the upper province of Canada.*

Brigadier-general M'Clure, commanding the Niagara frontier, finds the upper province deserted by the British army and abandoned by its government. In the peculiar situation of the inhabitants, it is essential to their security that some regulations should be established for their government, while the American army has the power of enforcing them. The general regrets to say, that illegal, unauthorised and forbidden pillage has been committed by a few, who are lost to all honor and insensible of the obligations of a soldier. To arrest such practices, to afford all the protection in his power, and to ensure safety to the property and persons of the inhabitants who are now under his control, the general has issued this address.

The employment of the indians has been a source of extreme regret to the general. But finding them called out by the government of the United States, and expecting to attack an army who had long employed them in scenes of atrocity and outrage at which humanity shudders, he was driven to the only alternative left him of using the same weapon against our enemies which they had used against ourselves. That the British army had abandoned their encampments and fled before the American force, does not weaken the necessity which he was under, of employing the indians before he knew that the enemy had abandoned. At the same time, it is due to them to say, that the indians have conducted themselves far better than could have been expected, if the example of the British officers and British savages be a criterion. Not a single individual has been scalped or tomahawked by them, no prisoner of war has been burnt, the dead have not been thrown into the public highways, the women and children have not been massacred, nor has private property been destroyed except in cases where the former conduct of the owners required exemplary retaliation. The property which they have plundered has in cases where it was possible, been restored to the inhabitants at the expense of the United States; and when the necessity for their employ ceased to exist, the indians were sent to the American side of the river beyond the reach of temptation, to wait until circumstances justified another call upon them. The relation of these facts is due to the honor of our government, to the reputation of the general and to the reputation of the indians. From it also, the inhabitants of Canada may learn, what they may expect from American forbearance and clemency.

To insure that forbearance, the inhabitants have an easy duty to perform—let them abstain from communications with the British army and remain at home quietly pursuing their avocations. Those who conduct differently will incur the penalties of rigorous martial law. The character of our free republican government and the nature of our institutions, will justify an expectation of security and protection; all civil magistrates will continue to exercise the functions of their offices *merely* as conservators of the peace; as far as they are able, they will preserve order and quiet among the inhabitants. The existing laws of the province, so far as they regard the public peace, and not interfering with the regulations of the army, will be considered in force until other measures are taken. The magistrates are particularly required to give information at head-quarters of all violences committed by the American troops or citizens, unless they are authorised by a written order. The general enjoins the inhabitants to submit to their magistrates, and those who refuse obedience must be reported to head-quarters. The brigadier-general invites all the inhabitants who are disposed to be peaceable, orderly and neutral, to return to their homes and their business. He cannot promise complete security, but he engages as far as his power extends, to protect the innocent, the unfortunate and the distressed.

GEO. M'CLURE, *Commanding Niagara frontier.*

Head-Quarters, Fort George, Oct. 16, 1813.

Extract of a letter from a correspondent of the Chilicothe *Fredonian*, dated

*Detroit, October* 11, 1813.

On the 27th ult. we landed on the Canada shore, 3 miles below Malden, and marched up to its ruins without opposition, the same afternoon. We found Malden burnt, all moveable public property either taken away or destroyed, and the enemy flown. The next day we marched on in pursuit towards Sandwich: arrived there on the 29th; crossed over to Detroit the same day, where we were greeted with tearful eyes and joyous hearts by the poor plundered inhabitants. A large number of Indians were still around the town; and so bold were some that even while we were crossing the river, some warriors were seen on the opposite bank. They fled, however, on our landing. Our Indians and captain Puthuff's company were sent out scouting immediately on our arrival, and shortly returned with two warriors and a squaw prisoners.

Col. Johnson's regiment arrived on the 30th, and after crossing over with their horses, pursuit was immediately made after the enemy up the river Thames. At the distance of about 80 miles from this, colonel Johnson's regiment, some other volunteer Kentuckians, and a few regulars, overtook the enemy, and after a few fires, made the whole British force PRISONERS! Proctor escaped but very narrowly, having left his horse and chaise, sword and papers on the road. Tecumseh has fallen. Six hundred British regulars, including thirty officers, are prisoners. No Indians were captured; but a great many were slain. We had 13 men killed, and a few wounded. Colonel Johnson was wounded in five places! General Harrison was in the midst of the fight. Commodore Perry and general Cass acted as his volunteer *aids-de-camp.* Governor Shelby was also there.

A considerable number of the savages have forsaken the bad cause of king George. Several flags were brought to this place since our arrival, and upwards of fifteen hundred are within six miles in a starving condition.

Proctor is certainly a grand coward; for his force, (counting Indians and all) was unquestionably sufficiently respectable to authorise an effort, ere he gave up, destroyed and retired from the strong holds of Malden and Detroit. The day previous to our landing, 15,000 rations were issued to the Indians, of whom 3000 were warriors. These, with his regulars, could have annoyed us much at landing, and also have given him time to retreat, in case of necessity. Enclosed is TECUMSEH'S *talk*, at Amherstburgh, previous to the retreat: it was found among general Proctor's papers. General Harrison returned 2 days ago. The troops are daily getting back; and I believe that an expedition to Mackinac is intended by a part of our force.

*SPEECH OF TECUMSEH,*

In the name of the indian chiefs and warriors, to major-general Proctor, as the representative of their great father—the king.

FATHER, *listen to your children! You have them now all before you.*

*The war before this, our British father gave the hatchet to his red children, when our chiefs were alive. They are now dead. In that war, our father was thrown on his back by the Americans, and our father took them by the hand without our knowledge; and we are afraid that our father will do so again at this time.*

*Summer before last, when I came forward with my red brethren, and was ready to take up the hatchet in favor of our British father, we were told not to be in a hurry, that he had not yet determined to fight the Americans.*

*Listen!—When war was declared, our father stood up and gave us the tomahawk, and told us that he was then ready to strike the Americans; that he wanted our assistance; and that he would certainly get us our lands back, which the Americans had taken from us.*

*Listen! You told us, at that time, to bring forward our families to this place; and we did so; and you promised to take care of them, and that they should want for nothing, while the men would go and fight the enemy. That we need not trouble ourselves about the enemy's garrison; that we knew nothing about them and that our father would attend to that part of the business. You also told your red children, that you would take good care of your garrison here, which made our hearts glad.*

*Listen! When we were last to the Rapids, it is true we gave you little assistance. It is hard to fight people who live like ground hogs.*

*Father listen! Our fleet has gone out; we knew they have fought; we have heard the great guns: but know nothing of what has happened to our father with one arm. Our ships have gone one way, and we are much astonished to see our father tying up every thing*

*and preparing to run away the other, without letting his red children know what his intentions are. You always told us to remain here and take care of our lands; it made our hearts glad to hear that was your wish. Our great father, the king, is our head, and you represent him. You always told us, that you would never draw your foot off British ground: but now, father, we see you are drawing back, and we are sorry to see our father doing so without seeing the enemy. We must compare our father's conduct to a fat animal, that carries its tail upon its back, but when affrighted, he drops it between his legs and runs off.*

*Listen, Father! The Americans have not yet defeated us by land; neither are we sure that they have done so by water: we, therefore, wish to remain here, and fight our enemy, if they should make their appearance. If they defeat us, we will* then *retreat with our father.*

*At the battle of the Rapids last war, the Americans certainly defeated us; and when we retreated to our father's fort at that place the gates were shut against us. We were afraid that it would now be the case; but instead of that we now see our British father preparing to march out of his garrison.*

*Father! You have got the arms and ammunition which our great father sent for his red children. If you have an idea of going away, give them to us, and you may go and welcome, for us. Our lives are in the hands of the Great Spirit. We are determined to defend our lands, and if it be his will we wish to leave our bones upon them.*

*Amherstburg, Sept,* 18, 1813.

Extract of another letter from the same, dated

*Detroit, October* 13, 1813.

Nothing of much importance has transpired since the date of my last. Additional movements are in contemplation, and will be put in motion in a few days: one to Mackinac, the other to Long Point.—A sufficient force will, no doubt, be sent to each to subdue both places: that done, and we shall have performed our part, since we resumed the line of march, from Put-in-Bay Island.

After repeated overtures of peace by the Pottawatimie and Miami Indians (the principal hostile tribes) the general consented to-day, in council, to a suspension of hostilities, until the will of government can be made known, upon the following terms, viz. That they should leave with us several of their principal chiefs as hostages, and on to-morrow move off to their respective hunting grounds; that they should draw at fort Wayne ammunition to answer their hunting purposes, and *occasionally* provisions for their families; and that perfect peace and friendship should exist among all the hostile tribes and our people, together with our friendly Indians, until the general should be instructed by government what course to pursue towards them. Massac, an intelligent venerable looking old chief, principal warrior of the Pottawatamie tribe, was, on this occasion, speaker on behalf of the Indians. He acknowledges that the hostile tribes had acted very unwisely and foolishly in going to war with us, and that they were all very sorry for it. It now appears, that the operations of the tomahawk and scalping knife have for the present ceased; and I trust that government will, in its wisdom, pursue that course towards the savages, which will ensure peace and tranquility to this unfortunate frontier country, where nothing but a continued scene of cruel warfare has been exhibited ever since its first settlement two centuries ago.

While in council, the arrival of a captain Le Breton, with a flag, was announced. He was the bearer of a letter from gen. Proctor to general Harrison, requesting that some papers taken in the late action might be returned. This *paltry* excuse to ascertain every thing going on with our army, must be obvious to all. It won't do to play yankee tricks with *yankees*. Our general with his *non quam dormio*, at one glimpse perceived the object, and informed captain Le Breton that he should return him to a different part of his army; but for the present, he must remain where he was. Can it be possible because the officers of our government are celebrated for their manifest generosity and hospitality to the fallen foe, under whatever clime or circumstances, that advantages like this should be taken by the enemy? It is too much for an honorable nation to war with a dishonorable one, when the latter will derive no lessons of liberality or justice from the examples of the former.

It gives me unspeakable satisfaction, to see the eyes of all classes of people fixed on our youthful heroes Perry and Croghan, with veneration and gratitude; and well may the British and Indians view them with astonishment. If *Lavater* was alive and here, he could point them out from a crowd of 10,000 strangers. The very *phiz* of these characters show every thing that is military, brave, intrepid and *humane*."

## NAVAL

Two English frigates are said to have gone round Cape Horn to search for the *Essex*.

We have some scraps of intelligence, by way of Jamaica and Carthagena, that corroborate the account in our last of the *Essex*. One report says she has from 4 to 5 millions of dollars on board.

The blockade of *New-London* is exceedingly rigid. The enemy lies as close to the mouth of the harbor as he can—but our squadron *may* get out in a gale.

Com. *Lewis* returned to New-York on the 27th ult. without "meeting" the enemy.

Three enemy boats entered the sound, a few days since, for the purpose of cutting out some vessels lying at New Inlet, *North-Carolina*. A party of militia came upon them, captured one barge with 17 men and drove the others off. Among the prisoners are some negroes supposed to be runaways.

The U. S. brigs *Niagara*, *Caledonia* and *Hunter*, with the schrs. Ariel, and *Lady Prevost*, and sloops Trippe and *Little Belt*, arrived at *Buffalo* on the 24th inst. with *Perry*, *Harrison* and *M'Arthur*, and a detachment of the N. W. army about 2000 strong.

# American Prizes.

WEEKLY LIST—CONTINUED FROM PAGE 152.

"The winds and seas are Britain's wide domain,
"And not a sail, but by *permission* spreads!"
*British Naval Register.*

636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657—twenty-two ships, to wit: the Economy, Pax, and Diligence, of London; Liberty, Betsy, and Hope, of Hull; Jolly Bachelor, and Experiment, of Aberdeen; Ruby, Britannia, Prosperous, Burton, Latona, and Friends Adventure, of Shields; Nottingham, of New Castle; Westmoreland of Blyth; Brothers, of Lancaster; Perseverance, of Yarmouth; Hartford, of Sunderland; Thetis, of Lynn; and Brunswick, of Dublin, all from Archangel, laden with grain and naval stores, captured by the privateers Rattlesnake, of Philadelphia, and Scourge, of New York, and sent into *Norway*—an excellent market, particularly for the grain. This is probably the fleet or a part of it, that com. Rodgers was looking for.

658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670—thirteen merchant vessels, captured on the coast of Spain, by the Leo, of Baltimore, and burnt.

[How forcibly should these exploits, with those of the *Argus*, &c. impress upon Congress the importance of fitting out many fast sailing vessels for the *only view* of harrassing the commerce of the enemy? And in *France* or *Norway*, deposits might be made of the prisoners for exchange. We think the balance would be greatly in our favor.]

671. One of *his majesty's* gun-boats, carrying 1 long 32 pounder and 50 men, driven near the shore by the late storm on Ontario, and captured by capt. Morgan's rifle corps.

672. Ship Britain, of Dublin, captured by the Scourge and Ra-

fleshake, as above, and given up to dispose of her prisoners. The value of the prizes made by those privateers, is immense.

☞ The property destroyed by the Argus, in the Irish sea is valued at 2,500,000 dollars.

673. Schooner Fame, of Barbadoes, laden with Madeira wine; captured by the Saratoga, and wrecked on Long Island; crew and cargo all saved.

674. Ship *St. Lawrence*, from England, with a *British* license full of most valuable British goods, worth from 3 to 400,000 dollars, captured by an Eastern privateer, and sent into Portsmouth, N. H. where she was condemned. The vessel and property is affected to have been *American*.

675, 676. Two vessels captured by the Yankee, and given up to discharge her prisoners. The Yankee has again returned to Rhode Island after a successful cruise, in which she captured nine vessels. The letter of marque schr Water Witch, of New York, fell in with a fleet of British vessels, and took several of them. Particulars hereafter.

## THE CHRONICLE.

### EUROPEAN AFFAIRS.

There has been terrible fighting in *Germany*; but the knavery or ignorance of the printers through whose hands the details have past, (and we have none but what have reached us by the way of *England*) have thrown them into such wonderful confusion, that it is no easy matter to form an *opinion* of the real state of things, much less to ascertain the facts that belong to them. So far as the events are narrated in the *French* bulletins, we have, at least, a well connected *story*; all elsé is "uproar wild."

The French accounts detail a great battle fought near *Dresden* on the 26th and 27th of August. The French were commanded by Bonparte, in person, assisted by Murat, Ney, Marmont, Victor, Mortier, St. Cyr, &c. The allies were under the emperors of Russia and Austria, and the king of Prussia; the latter is said to have had the direction of the whole. The forces of the contending parties must have amounted to 350,000 men. The action began at 4 or 5 o'clock in the evening; the allies appear to have been driven from their ground before night—and the next day, though the rain fell in torrents, the French pursued their advantages with great success—and state the result to be 25 or 30,000 prisoners, 40 standards, and 60 pieces of cannon taken,—the whole loss of the allies being estimated at 60,000 men; the French loss only 4,000, which is improbable. *Murat*, with the cavalry, appears to have conducted himself with his usual skill, courage and good fortune. On the 28th, 29th and 30th, the French pursued their successes and took 1000 ammunition waggons and many prisoners. They found the neighboring villages full of the wounded of the allied army—"they counted 10,000." The French accounts are as late as the 8th of September, and notice various minor successes; but admit they lost 3 or 4,000 prisoners in *Silesia*, being a part of the duke of Tarente's command, pursuing the allies, who were separated from the other forces by the rising of the waters, which swept away the bridges, &c. MOREAU, who had been appointed "major-general and chief of the staff" of the Russian forces (the same post that *Berthier* holds under Bonaparte) while discoursing with *Alexander*, was mortally wounded by one of the first cannon the French fired on the 26th. It carried off both legs, passing through his horse, and he died on the 2nd September.

In consequence of these events the empress regent of France ordered a grand *Te Deum*.

The war also goes on in *Italy*. The French force, under the viceroy, is reported to have gained some advantages—which other statements deny.

The English accounts admit a defeat before *Dresden*, but deprive the battle of the great importance the French ascribe to it—and say that the allies on the 5th of September "issued from the passes of *Bohemia*," and took the roads leading to *Dresden*, where, it was calculated another battle might be fought about the 10th of that month. But *Paris* papers of the 20th are silent on the subject; from which the *English* editors infer the French have been beaten. It appears that *Bernadotte* made a successful attack upon the left wing of the French army, under *Vandamme* at *Dannewitz*, where he took about 10,000 prisoners; that *Blucher* obtained considerable advantages to the right; other successes are claimed for the allies, too tedious for us to detail; even if the truth could be gleaned from the mass of matter presented, which is impossible. See Cobbett's remarks page 168.

Contrary to our belief, the crown prince of *Sweden* has *really* joined the allies, and the emperor of *Austria* has staked his crown on the issue. If *Bonaparte* conquers, they will be ruined; for he certainly will not permit them to retain a power that may again be used against him. The arch-duke Charles (prince *von Schwartzenburg*) commands the *Austrians*, said to be 160,000 men. The Danes are said to have suffered much in the action with *Bernadotte*, whose force is rated at 110,000. In *Spain* the *British* are reported successful. *St. Sebastians*, with a garrison short of 2000 men, has surrendered. *Soult* is drawing troops from *France*, and a great battle may be looked for in the neighborhood of the *Pyrenees*. *Suchet* is at *Barcelona*, with 40,000 men.—The British have appointed the earl of Aberdeen minister at the court of Vienna. Old king George still lives, "tranquil and comfortable (as the bulletin says) although his disorder remains undiminished." The whole contending forces of France and the allies, are given at the mighty aggregate 1,140,000 men, in *Germany* and *Italy*.

The military affairs of the coalition appear better managed than on any former occasion, and the forces on each side are powerful, beyond precedent; and more bloody battles have been fought, perhaps, than *Europe* ever witnessed before, in the same time. From the most careful examination, we conclude, that the advantage was, on the whole, much in favor of the *French*, but that nothing decisive had been accomplished, in any case, by either party. If it so turns out, that Bonaparte shall defeat the alliance, it would almost incline us to believe that he is the immediate instrument of Providence to accomplish his all-wise purposes, against which the power of man exerts itself in vain. The details and accounts of the late battles and movements of the adverse armies, would occupy three or four numbers of the REGISTER—we have carefully read the whole and *collect* the opinion above stated. As several vessels are expected from *France*, we look for later and more regular accounts; nor do we look to them with indifference, for on the issue relatively depends the more speedy restoration of peace to the United States.

*Pennsylvania Election.*—A letter to the editor of the REGISTER from a gentleman at *Harrisburg*, gives the following result of the late elections in Pennsylvania:

The house of representativas consists of 95 members of whom *eighty-four* are "republicans" and *eleven* "federalists."

The Senate consists of 31 members, one-third elected annually—of those elected the present year, all are "republican" but one, and he had a majority of only 11 votes.

*New-Jersey.*—Wm S. Pennington (rep.) has been elected governor of New-Jersey. The votes were, for Pennington 30—for Ogden (fed.) 20. The brother of the governor elect did not vote, and two members were absent.

We have reports that KINGSTON has fallen, and the whole British fleet taken. *Not believed.*

# THE WEEKLY REGISTER.

No. 12 OF VOL. V.] BALTIMORE, SATURDAY, NOVEMBER 20, 1813. [WHOLE NO. 116.

*Hæc olim meminisse juvabit.*—VIRGIL.

Printed and published by H. NILES, South-st. next door to the Merchants' Coffee House, at $ 5 *per annum*.

(CONTINUED FROM PAGE 192.)

It is a truth as important as it is agreeable, and one to which it is not easy to imagine exceptions, that every thing tending to establish substantial and permanent order, in the affairs of a country, to increase the total mass of industry and opulence, is ultimately beneficial to every part of it. On the credit of this great truth, an acquiescence may safely be accorded, from every quarter, to all institutions, and arrangements, which promise a confirmation of public order, and an augmentation of national resources.

But there are more particular considerations which serve to fortify the idea, that the encouragement of manufactures is the interest of all parts of the union. If the northern and middle states should be the principal scenes of such establishments, they would immediately benefit the more southern, by creating a demand for productions, some of which they have in common with the other states, and others of which are either peculiar to them, or more abundant, or of better quality, than elsewhere.—These productions, principally, are timber, flax, hemp, cotton, wool, raw silk, indigo, iron, lead, furs, hides, skins, and coals: of these articles, cotton and indigo are peculiar to the southern states; as are, hitherto, lead and coal; flax and hemp are, or may be raised in greater abundance there, than in the more northern states; and the wool of Virginia is said to be of a better quality than that of any other state: a circumstance rendered the more probable by the reflection, that Virginia embraces the same latitudes with the finest wool countries in Europe. The climate of the south is also better adapted to the production of silk.

The extensive cultivation of cotton, can, perhaps, hardly be expected, but from the previous establishment of domestic manufactories of the article; and the surest encouragement and vent for the others, would result from similar establishments in respect to them.

If, then, it satisfactorily appears, that it is the interest of the United States, generally, to encourage manufactures, it merits particular attention, that there are circumstances which renders the present a critical moment for entering with zeal upon the important business. The effort cannot fail to be materially seconded by a considerable and increasing influx of money, in consequence of foreign speculations in the funds, and by the disorders which exist in different parts of Europe.

The first circumstance not only facilitates the execution of manufacturing enterprises: but it indicates them as a necessary mean to turn the thing itself to advantage, and to prevent its being eventually an evil. If useful employments be not found for the money of foreigners, brought to the country to be invested in purchases of the public debt, it will quickly be re-exported to defray the expense of an extraordinary consumption of foreign luxuries; and distressing drains of our specie, may hereafter be experienced, to pay the interest and redeem the principal of the purchased debt.

This useful employment, too, ought to be of a nature to produce solid and permanent improvements. If the money merely serves to give a temporary spring to foreign commerce—as it cannot procure new and lasting outlets for the products of the country—there will be no real or durable advantage gained. As far as it shall find its way in agricultural ameliorations, in opening canals, and in similar improvements, it will be productive of substantial utility. But there is reason to doubt, whether in such channels it is likely to find sufficient employment, and still more, whether those who possess it, would be as readily attracted to objects of this nature, as to manufacturing pursuits; which bear greater analogy to those to which they are accustomed, and to the spirit generated by them.

To open the one field, as well as the other, will at least secure a better prospect of useful employment, for whatever accession of money there has been or may be.

There is, at the present juncture, a certain fomentation of mind, a certain activity of speculation and enterprise, which, if properly directed, may be made subservient to useful purposes; but which, if left entirely to itself, may be attended with pernicious effects.

The disturbed state of Europe, inclining its citizens to emigration, the requisite workmen will be more easily acquired, than at another time; and the effect of multiplying the opportunities of employment to those who emigrate, may be an increase of the number and extent of valuable acquisitions to the population, arts, and industry of the country.

To find pleasure in the calamities of other nations, would be criminal: but to benefit ourselves, by opening an asylum to those who suffer, in consequence of them, is as justifiable as it is politic.

A full view having now been taken of the inducements to the promotion of manufactures in the U. States, accompanied with an examination of the principal objections which are commonly urged in opposition, it is proper, in the next place, to consider the means by which it may be effected, as introductory to a specification of the objects, which, in the present state of things, appear the most fit to be encouraged, and of the particular measures which it may be advisable to adopt, in respect to each.

In order to a better judgment of the means proper to be resorted to by the United States, it will be of use to advert to those which have been employed with success in other countries. The principal of these are—

I. Protecting duties—or duties on those foreign articles which are the rivals of the domestic ones intended to be encouraged.

Duties of this nature evidently amount to a virtual bounty on the domestic fabrics, since, by enhancing the charges on foreign articles, they enable the national manufacturers to undersell all their foreign competitors. The propriety of this species of encouragement, need not to be dwelt upon; as it is not only a clear result from the numerous topics which have been suggested, but is sanctioned by the laws of the United States, in a variety of instances: it has the additional recommendation of being a resource of revenue. Indeed, all the duties imposed

on imported articles, though with an exclusive view to revenue, have the effect in contemplation, and, except where they fall on raw materials, wear a beneficent aspect towards the manufactures of the country.

II. Prohibitions of rival articles, or duties equivalent to prohibitions.

This is another, and an efficacious mean of encouraging national manufactures: but in general it is only fit to be employed when a manufacture has made such a progress, and is in so many hands, as to insure a due competition, and an adequate supply, on reasonable terms. Of duties equivalent to prohibitions, there are examples in the laws of the United States, and there are other cases, to which the principle may be advantageously extended: but they are not numerous.

Considering a monopoly of the domestic market to its own manufacturers, as the reigning policy of manufacturing nations, a similar policy, on the part of the United States, in every proper instance; is dictated, it might almost be said, by the principles of distributive justice: certainly by the duty of endeavoring to secure to its citizens, a reciprocity of advantages.

III. Prohibitions of the exportation of the materials of manufactures.

The desire of securing a cheap and plentiful supply for the national workmen, and, where the article is either peculiar to the country, or of peculiar quality there, the jealousy of enabling foreign workmen, to rival those of the nation, with its own materials, are the leading motives to this species of regulation. It ought not to be affirmed, that it is in no instance proper; but it it is certainly one which ought to be adopted with great circumspection, and only in very plain cases. It is seen at once, that its immediate operation is to abridge the demand and keep down the price of the produce of some other branch of industry, generally speaking, of agriculture, to the prejudice of those who carry it on; and though, if it be really essential to the prosperity of any very important national manufacture, it may happen that those who are injured, in the first instance, may be eventually indemnified, by the superior steadiness of an extensive domestic market, depending on that prosperity; yet in a matter, in which there is so much room for nice and difficult combinations, in which such opposite considerations combat each other, prudence seems to dictate, that the expedient in question, ought to be indulged with a sparing hand.

IV. Pecuniary bounties.

This has been found one of the most efficacious means of encouraging manufactures, and it is, in some views, the best. Though it has not yet been practised upon by the government of the United States (unless the allowance of the exportation of dried and pickled fish and salted meat could be considered as a bounty) and though it is less favored by public opinion, than some other modes—its advantages are these—

1. It is a species of encouragement more positive and direct than any other, and for that very reason, has a more immediate tendency to stimulate and uphold new enterprizes, increasing the chances of profit, and diminishing the risques of loss, in the first attempts.

2. It avoids the inconvenience of a temporary augmentation of price, which is incident to some other modes, or it produces it to a less degree; either by making no addition to the charges on the rival foreign article, as in the case of protecting duties, or by making a smaller addition. The first happens when the fund for the bounty is derived from a different object, (which may, or may not, increase the price of some other article, according to the nature of that object); the second, when the fund is derived from the same or a similar object of foreign manufacture. One per cent. duty on the foreign article, converted into a bounty on the domestic, will have an equal effect with a duty of two per cent. exclusive of such bounty; and the price of the foreign commodity is liable to be raised, in the one case, in the proportion of one per cent. in the other, in that of two per cent. Indeed, the bounty, when drawn from another source, is calculated to promote a reduction of price; because, without laying any new charge on the foreign article, it serves to introduce a competition with it, and to increase the total quantity of the article in the market.

3. Bounties have not, like high protecting duties, a tendency to produce scarcity. An increase of price is not always the immediate, though, where the progress of a domestic manufacture does not counteract a rise, it is commonly the ultimate effect of an additional duty. In the interval, between the laying of the duty and a proportionable increase of price, it may discourage importation, by interfering with the profits to be expected from the sale of the article.

4. Bounties are sometimes not only the best, but the only proper expedient, for uniting the encouragement of a new object of agriculture with that of a new object of manufacture. It is the interest of the farmer to have the production of the raw material promoted, by counteracting the interference of the foreign material of the same kind. It is the interest of the manufacturer to have the material abundant and cheap. If, prior to the domestic production of the material, in sufficient quantity, to supply the manufacturer on good terms, a duty be laid upon the importation of it from abroad, with a view to promote the raising of it at home, the interest both of the farmer and manufacturer will be disserved. By either destroying the requisite supply, or raising the price of the article, beyond what cannot be afforded to be given for it, by the conductor of an infant manufacture, it is abandoned or fails; and there being no domestic manufactories to create a demand for the raw material, which is raised by the farmer, it is in vain, that the competition of the like foreign article, may have been destroyed.

It cannot escape notice, that a duty upon the importation of an article can no otherwise aid the domestic production of it, than by giving the latter greater advantages in the home market. It can have no influence upon the advantageous sale of the article produced, in foreign markets; no tendency, therefore, to promote its exportation.

The true way to conciliate these two interests, is to lay a duty on foreign manufactures of the material, the growth of which is desired to be encouraged, and to apply the produce of that duty by way of bounty, either upon the production of the material itself, or upon its manufacture at home, or upon both. In this disposition of the thing, the manufacturer commences his enterprise, under every advantage, which is attainable as to quantity or price of the raw material; and the farmer, if the bounty be immediately given, is enabled by it to enter into a successful competition with the foreign material; if the bounty be to the manufacturer on so much of the domestic material as he consumes, the operation is nearly the same; he has a motive of interest to prefer the domestic commodity, if of equal quality, even at a higher price than the foreign, so long as the difference of price is any thing short of the bounty, which is allowed upon the article.

Except the simple and ordinary kinds of household manufacture, or those for which there are very commanding local advantages, pecuniary bounties are in most cases indispensable to the introduction of a new branch. A stimulus and a support not less powerful and direct is, generally speaking, essential to the overcoming of the obstacles which arise from the competitions of superior skill and maturity elsewhere. Bounties are especially essential, in regard to articles, upon which those foreigners who have been accustomed to supply a country, are in the practice of granting them.

The continuance of bounties on manufactures long established, must almost always be of questionable policy: because a presumption would arise in every such case, that there were natural and inherent impediments to success. But in new undertakings, they are justifiable, as they are oftentimes necessary.

There is a degree of prejudice against bounties, from an appearance of giving away the public money, without an immediate consideration, and from a supposition, that they serve to enrich particular classes, at the expense of the community.

But neither of these sources of dislike will bear serious examination. There is no purpose to which public money can be more beneficially applied, than to the acquisition of a new and useful branch of industry; no considerations more valuable than a permanent addition to the general stock of productive labor.

As to the second source of objection, it equally lies against other modes of encouragement which are admitted to be eligible. As often as a duty upon a foreign article makes an addition to its price, it causes an extra expense to the community, for the benefit of the domestic manufacture. A bounty does no more. But it is the interest of the society, in each case, to submit to a temporary expense, which is more than compensated, by an increase of industry and wealth—by an augmentation of resources and independence—and by the circumstances of eventual cheapness, which has been noticed in another place.

It would deserve attention, however, in the employment of this species of encouragement in the United States, as a reason for moderating the degree of it in the instances in which it might be deemed eligible, that the great distance of this country from Europe imposes very heavy charges on all the fabrics which are brought from thence, amounting from 15 to 30 per cent. on their value, according to their bulk.

A question has been made, concerning the constitutional right of the government of the United States to apply this species of encouragement; but there is certainly no good foundation for such a question. The national legislature has express authority "to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare," with no other qualifications than that "all duties, imposts and excises, shall be uniform throughout the U. States; that no capitation or other direct tax shall be laid, unless in proportion to numbers ascertained by a census or enumeration taken on the principles prescribed in the constitution; and that no tax or duty shall be laid on articles exported from any state."

These three qualifications excepted, the power to raise money is plenary and indefinite; and the objects, to which it may be appropriated, are no less comprehensive than the payment of the public debts and the providing for the common defence and general welfare. The terms "general welfare" were doubtless intended to signify more than was expressed or imported in those which preceded; otherwise, numerous exigencies, incident to the affairs of a nation, would have been left without a provision. The phrase is as comprehensive as any that could have been used; because it was not fit that the constitutional authority of the union, to appropriate its revenues, should have been restricted within narrower limits than the "general welfare;" and because this necessarily embraces a vast variety of particulars which are susceptible neither of specification nor of definition.

It is therefore of necessity left to the discretion of the national legislature, to pronounce, upon the objects, which concern the general welfare, and for which, under that description, an appropriation of money is requisite and proper. And there seems to be no room for a doubt, that whatever concerns the general interests of learning, of agriculture, of manufactures, and of commerce, are within the sphere of the national councils, as far as regards an application of money.

The only qualification of the generality of the phrase in question, which seems to be admissible, is this—that the object, to which an appropriation of money is to be made, be general and not local; its operation, extending in fact, or by possibility, throughout the union, and not being confined to a particular spot.

No objection ought to arise to this construction, from a supposition that it would imply a power to do whatever else should appear to congress conducive to the general welfare. A power to appropriate money, with this latitude, which is granted too in express terms, would not carry a power to do any other thing, not authorised in the constitution, either expressly or by fair implication.

V. Premiums.

These are of a nature allied to bounties, though distinguishable from them in some important features.

Bounties are applicable to the whole quantity of an article produced or manufactured, or exported, and involve a correspondent expense; premiums serve to reward some particular excellence or superiority, some extraordinary exertion or skill, and are dispensed only in a small number of cases. But their effect is to stimulate general effort: contrived so as to be both honorary and lucrative, they address themselves to different passions; touching the chords as well of emulation as of interest. They are accordingly a very economical mean of exciting the enterprise of a whole community.

There are various societies in different countries, whose object is the dispensation of premiums for the encouragement of agriculture, arts, manufactures, and commerce: and though they are, for the most part, voluntary associations, with comparatively slender funds, their utility has been immense. Much has been done by this mean in Great Britain: Scotland, in particular, owes materially to it a prodigious amelioration of condition. From a similar establishment in the United States, supplied and supported by the government of the union, vast benefits might reasonably be expected. Some further ideas on this head, shall accordingly be submitted in the conclusion of this report.

VI. The exemption of the materials of manufactures from duty.

The policy of that exemption, as a general rule, particularly in reference to new establishments, is obvious. It can hardly ever be advisable to add the obstructions of fiscal burdens to the difficulties which naturally embarrass a new manufacture; and where it is matured and in condition to become an object of revenue, it is, generally speaking, better that the fabric, than the material, should be the

subject of taxation. Ideas of proportion between the quantum of the tax and the value of the article can be more easily adjusted in the former than in the latter case. An argument for exemptions of this kind in the United States, is to be derived from the practice, as far as their necessities have permitted, of those nations whom we are to meet as competitors in our own and in foreign markets.

There are, however, exceptions to it; of which some examples will be given under the next head.

The laws of the union afford instances of the observance of the policy here recommended; but it will probably be found advisable to extend it to some other cases. Of a nature, bearing some affinity to that policy, is the regulation which exempts from duty the tools and implements, as well as the books, clothes, and household furniture of foreign artists, who come to reside in the United States; an advantage already secured to them by the laws of the union, and which, it is in every view, proper to continue.

VII. Drawbacks of the duties which are imposed on the materials of manufactures.

It has already been observed, as a general rule, that duties on those materials ought, with certain exceptions, to be forborne. Of these exceptions, three cases occur, which may serve as examples—one, where the material is itself an object of general or extensive consumption, and a fit and productive source of revenue: another, where a manufacture of a simpler kind, the competition of which with a like domestic article is desired to be restrained, partakes of the nature of a raw material, from being capable by a farther process, to be converted into a manufacture of a different kind, the introduction or growth of which is desired to be encouraged; a third, where the material itself is a production of the country, and in sufficient abundance to furnish a cheap and plentiful supply to the national manufacturers.

Under the first description comes the article of molasses. It is not only a fair object of revenue, but being a sweet, it is just that the consumers of it should pay a duty as well as the consumers of sugar.

Cottens and linen in their white state fall under the second description—a duty upon such as are imported is proper to promote the domestic manufacture of similar articles in the same state—a drawback of that duty is proper to encourage the printing and staining at home of those which are brought from abroad. When the first of these manufactures has attained sufficient maturity in a country, to furnish a full supply for the second, the utility of the drawback ceases.

The article of hemp either now does or may be expected soon to exemplify the third case, in the United States

Where duties on the materials of manufactures are not laid for the purpose of preventing a competition with some domestic production, the same reasons which recommend, as a general rule, the exemption of those materials from duties, would recommend, as a like general rule, the allowance of drawbacks in favor of the manufacturer; accordingly, such drawbacks are familiar in countries which systematically pursue the business of manufactures; which furnishes an argument of the observance of a similar policy in the United States; and the idea has been adopted by the laws of the union, in the instances of salt and molasses. It is believed that it will be found advantageous to extend it to some other articles.

VIII. The encouragement of new inventions and discoveries, at home, and of the introduction into the United States of such as may have been made in other countries; particularly those which relate to machinery.

This is among the most useful and unexceptionable of the aids which can be given to manufactures. The usual means of that encouragement are pecuniary rewards, and, for a time, exclusive privileges.—The first must be employed, according to the occasion, and the utility of the invention or discovery.—For the last, so far as respects "authors and inventors," provision has been made by law. But it is desirable, in regard to improvements and secrets of extraordinary value, to be able to extend the same benefit to introducers, as well as authors and inventors; a policy which has been practised with advantage in other countries. Here, however, as in some other cases, there is cause to regret, that the competency of the authority of the national government to the good, which might be done, is not without a question. Many aids might be given to industry—many internal improvements of primary magnitude might be promoted, by an authority operating throughout the union, which cannot be effected, as well, if at all, by an authority confined within the limits of a single state.

But if the legislature of the union cannot do all the good that might be wished, it is at least desirable, that all may be done which is practicable.—Means for promoting the introduction of foreign improvements, though less efficaciously than might be accomplished with more adequate authority, will form a part of the plan intended to be submitted in the close of this report.

It is customary with manufacturing nations to prohibit, under severe penalties, the exportation of implements and machines, which they have either invented or improved. There are already objects for a similar regulation in the United States; and others may be expected to occur from time to time. The adoption of it seems to be dictated by the principle of reciprocity. Greater liberality, in such respects, might better comport with the general spirit of the country; but a selfish and exclusive policy in other quarters will not always permit the free indulgence of a spirit, which would place us upon an unequal footing. As far as prohibitions tend to prevent foreign competitors from deriving the benefit of the improvements made at home, they tend to increase the advantages of those by whom they may have been introduced; and operate as an encouragement to exertion.

IX. Judicious regulations for the inspection of manufactured commodities.

This is not among the least important of the means, by which the prosperity of manufactures may be promoted. It is indeed in many cases one of the most essential. Contributing to prevent frauds upon consumers at home, and exporters to foreign countries—to improve the quality and preserve the character of the national manufactures, it cannot fail to aid the expeditious and advantageous sale of them, and to serve as a guard against successful competition from other quarters. The reputation of the flour and lumber of some states, and of the potash of others, has been established by an attention to this point.—And the like good name might be procured for those articles, wheresoever produced, by a judicious and uniform system of inspection, throughout the ports of the United States. A like system might also be extended with advantage to other commodities.

X. The facilitating of pecuniary remittances from place to place—

Is a point of considerable moment to trade in general, and to manufactures in particular; by rendering more easy the purchase of raw materials and

provisions, and the payment for manufactured supplies. A general circulation of bank paper, which is to be expected from the institution lately established, will be a most valuable mean to this end.—But much good would also accrue from some additional provisions respecting inland bills of exchange. If those drawn in one state payable in another, were made negociable, every where, and interest and damages allowed in case of protest, it would greatly promote negociations between the citizens of different states, by rendering them more secure; and, with it, the convenience and advantage of the merchants and manufacturers of each.

XI. The facilitating of the transportation of commodities.

Improvements favoring this object intimately concern all the domestic interests of a community: but they may without impropriety be mentioned as having an important relation to manufactures. There is perhaps scarcely any thing, which has been better calculated to assist the manufactures of Great Britain, than the amelioration of the public roads of that kingdom, and the great progress which has been of late made in opening canals. Of the former, the United States stand much in need; for the latter they present uncommon facilities.

The symptoms of attention to the improvement of inland navigation, which have lately appeared in some quarters, must fill with pleasure every breast warmed with a true zeal for the prosperity of the country. These examples, it is to be hoped, will stimulate the exertions of the government and citizens of every state. There can certainly be no object more worthy of the cares of the local administrations; and it were to be wished, that there was no doubt of the power of the national government to lend its direct aid on a comprehensive plan. This is one of those improvements, which could be prosecuted with more efficacy by the whole, than by any part or parts of the union. There are cases in which the general interest will be in danger to be sacrificed to the collision of some supposed local interests. Jealousies, in matters of this kind, are as apt to exist, as they are apt to be erroneous.

The following remarks are sufficiently judicious and pertinent to deserve a literal quotation: "good roads, canals, and navigable rivers, by diminishing the expense of carriage, put the remote parts of a country more nearly upon a level with those in the neighborhood of the town. They are, upon that account, the greatest of all improvements. They encourage the cultivation of the remote, which must always be the most extensive circle of the country. They are advantageous to the town, by breaking down the monopoly of the country in its neighbourhood. They are advantageous even to that part of the country. Though they introduce some rival commodities into the old market, they open many new markets to its produce. Monopoly, besides, is a great enemy to good management, which can never be universally established, but in consequence of that free and universal competition, which forces every body to have recourse to it, for the sake of self-defence. It is not more than fifty years ago that some of the counties in the neighborhood of London petitioned the parliament, against the extension of the turnpike roads, into the remoter counties. These remoter counties, they pretended, from the cheapness of labor, would be able to sell their grass and corn cheaper in the London market, than themselves, and they would thereby reduce their rents and ruin their cultivation. Their rents, however, have risen, and their cultivation has been improved, since that time."

Specimens of a spirit, similar to that which governed the counties, here spoken of, present themselves too frequently to the eye of an impartial observer, and render it a wish of patriotism, that the body in this country, in whose councils a local or partial spirit is least likely to predominate, were at liberty to pursue and promote the general interest, in those instances, in which there might be danger of the interference of such a spirit.

The foregoing are the principal of the means, by which the growth of manufactures is ordinarily promoted. It is, however, not merely necessary, that the measures of government, which have a direct view to manufactures, should be calculated to assist and protect them; but that those, which only collaterally affect them in the general course of the administration, should be guarded from any peculiar tendency to injure them.

There are certain species of taxes, which are apt to be oppressive to different parts of the community, and, among other ill effects, have a very unfriendly aspect towards manufactures. All poll or capitation taxes are of this nature. They either proceed according to a fixed rate which operates unequally, and injuriously to the industrious poor; or they vest a discretion in certain officers, to make estimates and assessments, which are necessarily vague, and conjectural, and liable to abuse. They ought, therefore, to be abstained from, in all but cases of distressing emergency.

All such taxes (including all taxes on occupations) which proceed according to the amount of capital supposed to be employed in a business, or of profits supposed to be made in it, are unavoidably hurtful to industry. It is in vain that the evil may be endeavoured to be mitigated by leaving it, in the first instance, in the option of the party to be taxed, to declare the amount of his capital or profits.

Men engaged in any trade or business have commonly weighty reasons to avoid disclosures, which would expose, with any thing like accuracy, the real state of their affairs. They most frequently find it better to risk oppression, than to avail themselves of so inconvenient a refuge. And the consequence is, that they often suffer oppression.

When the disclosure, too, if made, is not definitive, but controlable by the discretion, or, in other words, by the passions and prejudices of the revenue officers, it is not only an ineffectual protection, but the possibility of its being so, is an additional reason for not resorting to it.

Allowing to the public officers the most equitable dispositions—yet where they are to exercise a discretion without certain data, they cannot fail to be often misled by appearances. The quantity of business which seems to be going on, is, in a vast number of cases, a very deceitful criterion of the profits which are made; yet it is, perhaps, the best they can have, and it is the one on which they will most naturally rely. A business, therefore, which may rather require aid, from the government, than be in a capacity to be contributory to it, may find itself crushed by the mistaken conjectures, of the assessors of taxes.

Arbitrary taxes, under which denomination are comprised all those, that leave the quantum of the tax to be raised on each person, to the discretion of certain officers, are as contrary to the genius of liberty as to the maxims of industry. In this light they have been viewed by the most judicious observers on government, who have bestowed upon them the severest epithets of reprobation; as constituting one of the worst features usually to be met with in the practice of despotic governments.

*(To be continued.)*

## Progress of the enemy.

We insert the following "*project for the restoration of peace to* NEW-ENGLAND," to shew honest men the *progress of the enemy*, and to perpetuate to infamy the faction that subserves his iniquitous purposes. I call it a *faction*, aye, a base and prostitute FACTION, that every reflecting *American*, whether he be a "*republican*" or a "*federalist*" must reprobate and despise.

But such are the doctrines of a very extensive "knot of knaves," who have their confidential friends and fellow laborers scattered through the United States. Of themselves, they are contemptible; but, through the blind adherence of many to *party*, of some consideration in the republic; pretending to *patriotism*, to a *love of peace*, to FEDERALISM!!—and more than all, to a reverence for the practice and precepts of WASHINGTON!!!—a name of such talismanic virtue, as, in the eyes of some, to purge of his crime the basest wretch that calls upon it; through the attributes that belong to it are as different from the qualities of his affected follower, as the ministrations of an angel to the machinations of a devil.

WASHINGTON told us to "FROWN INDIGNANTLY ON THE FIRST DAWNING OF EVERY ATTEMPT TO ALIENATE ANY PORTION OF THE COUNTRY FROM THE REST, OR TO ENFEEBLE THE SACRED TIES THAT NOW LINK ITS VARIOUS PARTS." I shall obey this injunction, let he be offended that will. I would purchase no man's patronage by an apparent insensibility to this most vile proposition. There is danger in becoming *familiar* with such things—no man grows instantly vile; and he who terminates a horrid life on the gallows unrepented of the past, and careless of the future, might have been saved, if he had been checked on his first step from virtue. It is criminal to look at those proceedings with indifference, or smile at them as the ravings of infuriated men—we should "FROWN" upon them,—particularly at their "FIRST DAWNING;" nipping in its bud, the terrible mischief that must follow the treason, if suffered to come to maturity. It is no question between the "*republican*" and the "*federalist*;" but a plain case at issue between the *American* and *his enemy*—a desperate *foreign* faction, led on by an *ambition*, that would

"Rather reign in hell than serve in heaven."

I have no fear of what this faction may do, further than demoralize the people, and gradually undermine their veneration for the constitution; though I know very well that *Great Britain* has counted much on "*her party*" in the United States. For, in the present state of things, the brawny arm of the farmer, mechanic and manufacturer is every where ready to seize the *traitor* by the throat, and make his soul shrink into the darkness that belongs to the infernal passions that influence him. Yet I think it right to hold up their movements to execration; for

"Vice is a monster of such hideous mien,
"That to be hated needs but to be seen."

Let every *American* read the proposition; and if he yet doubts what he should do, let him turn to and carefully peruse the last legacy of WASHINGTON,* being his farewell address to the people of the United States, and he will not fail to reprobate it as it deserves—and "frown" into annihilation the *troubled spirit* that devised, or aided and assisted in offering it to public consideration.

We should despise ourselves for proposing a remark, by way of argument, on the doctrines advanced by the factionist. Every position is false; and their impudence is equalled only by the total disregard of truth in the writer and publisher. But it shews the verity of the matters that *John Henry* disclosed, and the following extract from one of his letters to governor *Craig* [of Canada] is so exactly in point, that, while we refer to the whole correspondence [see WEEKLY REGISTER, vol. II, page 18,] we cannot refuse to reinsert it here: It is dated at *Boston*, March 7, 1809—

"I have now ascertained with as much accuracy as possible, the course intended to be pursued by the party in Massachusetts that is opposed to the measures and politics of the general government. I have already given a decided opinion that a declaration of war is not to be expected: but, contrary to all reasonable calculation, should the congress possess spirit and independence enough, to place their popularity in jeopardy by so strong a measure, the *legislature of Massachusetts* will give the *tone* to the neighboring states; will declare itself PERMANENT, until a new election of members; *invite a* CONGRESS to be composed of delegates from the federal states, and ERECT A SEPARATE GOVERNMENT. This CONGRESS would probably begin by abrogating the offensive laws, and adopting a plan for the maintenance of the power and authority thus assumed. They would, by such an act, *be in a condition to make or receive proposals from Great Britain;* and I should seize the first moment to open a correspondence with your excellency. Scarce any other aid would be necessary, and perhaps none required than a few vessels of war from the Halifax station, *to protect the maritime towns from the little navy which is at the disposal of the national government.* What *permanent connection* between Great Britain and this section of the republic would grow out of a CIVIL COMMOTION, such as might be expected, no person is prepared to describe; but it seems that a *strict alliance* must result of necessity."

Since the commencement of the present volume of the REGISTER wherein, in the "whys and wherefores" that have governed me, I promised some notice of the *population, resources, future prospects*, &c. of the several states, many correspondents have urged the task. But all the documents necessary for the purpose are not yet collected, and some may not be obtained until after the meeting of congress—when they are had, I shall attempt to shew, and feel confident to demonstrate, the utter contempt and insignificance of the *seat of the faction*, separated from and compared with the other parts of the confederacy——to explain how their "COMMERCE," the great god they worship, would leave them, because they have nothing whereon to feed his avarice; nor can they command it, though like the *Dutch*, they might "trample on the cross" to have it.——to shew, that their *population* now rapidly declining (and every day losing its influence by an increase in other parts) would leave them by thousands for more fertile countries and less oppressed states, where *bread* enough is raised for the consumption, with a great surplus for exportation. The folks at *Boston*, who seize on the revolutionary fame of *Massachusetts*, shall see that things have greatly altered since 1776——as for instance, *Kentucky* and *Ohio* were *then* wildernesses—they *now* have as great a population as *Massachusetts*, including the district of *Maine*. Nor is there less change in the relative wealth and resources of the several states. Many silly people thought if *Boston* would not support the government with money, the "wheels must stop;" and, to prevent supplies, very ungenerous and *ungentlemanly* means were used. In 1776, *Baltimore*, compared with *Boston*, was a mere speck in the political scale; but *now* the latter has a greater population

*See Vol. III, page 385.

and much more capital, (good honest specie, or bank notes circulating *the same as specie*) than the former; not to mention *New York* and *Philadelphia*. On the loans we may say more hereafter; but we venture the opinion, that *Pennsylvania* has the ability to raise more money, real money, than the whole of the boasted "*New-England States*" Improved land in that state sells within from 50 to 70 miles of a seaport, at from 200 to 250$ *per acre*,* by the hundred acres, entire plantations, if of good quality; and money was never so plenty as now. Why are these changes? We shall shew they are the *natural* result of soil, situation and climate; and that they will yet proceed to an extent far more alarming to the *faction*, if it shall remain to fret and vex itself.

It is with sincere regret we apprehend the necessity of these remarks. We would speak of all parts of the union as having a community of interest, as indeed they have; and have it supposed as impossible to dissolve the confederacy as to stop the courses of the planets. We are decidedly opposed to all "*geographical distinctions*," which WASHINGTON so severely reprehended, and avoid mentioning them, even in common conversation: but it seems right to bring down the "high blown pride" of the *faction* that deceives honest "*New-England*," and arrogates to itself all the talents, all the wealth, and all the respectability of the nation—and we shall pursue the matter, we trust, equally to the satisfaction of all *true* Americans.

*From the Boston Daily Advertiser.*

PROJECT FOR THE RESTORATION OF PEACE TO NEW ENGLAND.

It being now pretty well ascertained that all New England, that is to say, all that part of the United States which has a homogeneous, uniform, national character, is opposed to this unjust and ruinous war, it remains now to consider by what means they can restore to themselves the blessings of peace consistently with the constitution and the preservation of internal quiet.

We enter on this discussion upon the supposition, that the people of New England will not alter their views on account of any partial successes in Canada. Should the United States or its unjust and unwise administration succeed with seven millions of people, whose resources they command, to conquer Upper or even Lower Canada, an event that we have always deemed probable, the situation of New England, instead of being in any degree ameliorated, will be rendered most dreadful.

Their commerce, on which they rely, will be more vigorously assailed and more certainly destroyed—their fisheries will be annihilated, and their *new neighbors* who have plunged them into this war, the very men who have often threatened to cut their throats because they did not agree with them in the expediency of destroying their birth-right. Commerce, will be in an armed attitude as victors on their frontiers. The conquest then of all Canada including Quebec, will be deemed by all enlightened people in New England as only the signal of their downfall and ruin.

They will therefore be more desirous of *peace than ever*. How is this to be obtained? The constitution has provided them with direct, regular and easy means. Means, which render unnecessary civil commotions, separation, or any of the other extreme remedies which might be worse than the disease.

By the constitution of the United States it is provided that all powers not expressly delegated, are referred to the states respectively or to the people.

By the same instrument it is provided, that "no state shall *without the consent of congress* enter into any treaty with any foreign state or power." This provision is therefore tantamount to a declaration, that any state with the consent of congress may enter into a treaty with any foreign power.

The constitution then has authorised us, and our necessities and interest invite us, *to endeavor to make a separate treaty with Great Britain*, asking however the consent of congress. This I think we ought to do, and this I presume they will not on their own principles refuse.

Timid men ought not to be alarmed at a proposition which it seems was contemplated in the formation of our constitution. There ought to be nothing to alarm us in the exercise of a constitutional right, especially when its exercise is so important, and is to restore to us the blessings of peace.

The prudent and moderate state of Connecticut has already availed itself of another of these negative clauses of the constitution. The constitution provides that "no state, *except in time of war*, shall keep on foot troops," &c.

Connecticut has construed this into an express admission that any state *in time of war* may keep on foot troops, and has organized a corps of elite for their defence against foreign or domestic foes.

Some may think it inconsistent with the federal union, for one or more states to make a separate peace, but if they will look into history they will find many examples of confederated republics of states in which a part of them maintained a perfect neutrality.

There have been times in which the province of Holland alone, without the other six provinces, has been engaged in war. The Germanic body offers many such examples. Our own country exhibits one instance very striking. During our revolutionary war it was agreed that the Island of Bermuda should remain neutral, and acts of the then congress were passed directing our cruisers to respect that neutrality.

It was not considered by Great Britain a crime in Bermuda to request it, nor against their policy to grant it.

It cannot therefore be deemed in New England an indecorous request to ask that they may be permitted to stand neuter in a war which they opposed unanimously, which is fatal to their interests, and which may ultimately destroy their liberties.

The states in favor of the war urged it from one or the other of all the following motives.

1st. *To desire to drive the Indians out of lands which they wanted to fortune and which they could not in any other way so cheaply acquire.*

2ndly. *To rob the poor Canadians, and acquire a new and easier outlet for the production of the western states.*

3dly *To divert the forces of Great Britain, and thus favor the progress of Bonaparte in his conquest of Spain and Russia. The expeditions into Spanish America are made with the same view.*

Lastly. *To add new territories to the United States to be held by right of conquest in which not only votes would be obtained, but a military force might be kept to insure the submission of the Eastern States.*

It is not perceived that *our neutrality* would affect either these objects.—The war may still be prosecuted by the heroes of the west—Canada may be subdued—Its inhabitants *honorably plundered*—The Indians destroyed and exterminated—Great Britain weakened and her force diverted—and New England surrounded with victorious, and mercenary, and devoted troops, much more ready and willing to cut our throats than either the British or the Indians.

* Some *farms*, in *York* county, have sold for $275 an acre.

I ask, then, seriously, why New-England should not unite as one man, and ask permission to make a *separate peace pursuant to the constitution*, leaving all their obligations and connections with the United States in full force, and why the other states who are left in possession of all the blessings and advantages of war and all its fruits, which we do not ask to divide with them, should not agree to our proposal.

*This is no sudden thought, nor is it done without the most serious and solemn reflection.*

*I hope every legislator in New England will ponder upon and be prepared to meet the question this winter.*

If we unite, and congress agree as they ought to do, to it, we shall once more be happy. If they do not agree to it, but unreasonably refuse it, it will then remain for the wise and prudent to decide what we ought to do when a just and reasonable and constitutional request is refused.

A CONSTITUTIONALIST.

# Events of the War.

## MISCELLANEOUS.

*Brig Argus.*—We have always considered captain *Maples'* account of the capture of the *Argus* by the *Pelican* as a pure "*British official*;" or, in other words, as a *great falshood*. We are yet to learn the facts from our own officers—one, however, of high importance, has leaked out in the *London* papers in these words;—"*As the action closed, his majesty's ship Leonidas*, [rated 38] *captain Seymour, fell in with them*," [the *Argus* and *Pelican*.] It was not *convenient* for captain *Maples* to state this incident; which, doubtless, led to the surrender of our vessel.

The *Scourge* privateer is still doing a great business off the *North Cape*. Not a vessel for Archangel escapes her (says a letter from *Lisbon.*) "Every thing taken is sure of being saved, as three hours sail will send them in behind a chain of islands, and on the one at the entrance, the privateer has erected, or rather repaired and supplied an old battery, strong enough to keep off small cruisers. The Danes take possession of them immediately, and conduct them to Drontheim, so that the crew of the Scourge remains complete, as Danes are hired to man the fortress they have erected.

Commodore *Perry* was received with great respect by the corporation of *Albany*, on the 8th inst. and the common council voted him the freedom of the city in a gold case, with an elegant sword. He has since arrived at Newport, R. I. where he was received with rapture. It is said he is to command on that station until a frigate is provided for him.

The corporation of *New York* have given the name of "*Perry-street*" to one of the new streets of that city, in honor of *the hero of Erie.*

By our latest accounts from *Halifax*, it appears that the *British* have 106 vessels of war, carrying 3139 guns, on the *North American* station. A pretty handsome armament to manage "five or six fir built frigates."

All the reports agree in stating the usage of our people, prisoners there, as horrible. A late *Portland* paper has the following, which we believe is literally true——"It is well that the public should have an idea of the place where our Americans are confined. To give a full description is not in our power; but agreeably to information received, *Melville Island* where TWELVE HUNDRED Americans are confined, is little above the surface of the water, and from its low situation is generally very unhealthy—its circumference, about sixteen hundred feet—on this nauseous spot is situated a building of two stories—130 feet in length and 40 feet broad—and of the upper room 30 feet is set apart for the sick—the remainder of this apartment now contains 180 American prisoners. In the lower room are 770 more cooped up to breathe the same breath and generate disease by this narrow confine—350 more are near this island on board a prison ship. In this situation, under the most rigorous treatment, our brethren remain—the brave tars of our navy and many of the soldiers of our country are here doomed to breathe their last from a pestilence which carries off three or four of a day—and to heighten the poignancy of their reflections, they are told by the British agent, Miller, "*to die and be damned.*"—*The king has 150 acres of land to bury them.*"

We have also many anecdotes like the annexed—certain British officers at *Halifax* were endeavoring to entice a boy, an apprentice to an American merchant, to enter their service—on which an officer of the late Yorktown privateer who stood by said, "Joe don't go." For his *impudence*, he was put *ten days* in the *black hole*, on short allowance.

They have impressed fifteen men from the *prison ship* at *Quebec*, and forced them to do duty in their ships. Among them are two citizens of *Maryland*; to wit, *William Kelly*, a soldier of the revolution, who again entered to serve his country, and *John Todd*, a native of Prince George's county, both of the 14th regiment of infantry.

The fact is, if the barbarities of the enemy beggar all description, the venality and baseness of our own citizens forms a fair counterpart to them. In the month of September, in the course of one day, 17,000 barrels of flour arrived at *Halifax* from the *United States*. It is transported from the grain-growing states, by internal conveyances, to eastern ports "*not blockaded;*" from whence, by *Swedish flags* and other means, it goes immediately to feed the enemy. A gentleman who has just arrived home, says, that when he left *Halifax*, there were upwards of *two hundred* "moral and religious" *Americans*, in that city, in open and direct communication with the British—smuggling backwards and forwards. Will congress hesitate to deny the exportation of provisions? Had this been done at the last session, the present atate of things would have been materialy different. We pray to heaven, that, while the war lasts, we may have no half-way measures. They are disgraceful to the age we live in. What is it if our seamen and soldiers are brave, if the legislative power of the country fights against them?

The *London Pilot* of the 11th of August, says that thirteen vessels belonging to the United States, have been seized by the *British* in the port of *Canton*, This, we suppose is the respect of the enemy for "*neutral rights.*"

The Tenedos frigate, and her *guard*, La Hogue of 74 guns, has returned to Halifax, from a cruise of about 3 months for commodore *Rodgers*. They captured nothing but one *Spanish* vessel.

Several British vessels of war have lately arrived at *Quebec*, said to have on board considerable reinforcements. Among them the *brave* sir Sidney Beckwith, and 1600 of his *gallant* marines, so famous for their deeds in the *Chesapeake*. 300 seamen for the lake flotillas have also arrived there. Some troops are also reported to have arrived at Halifax from England.

Mr. Croker, (says the *Aurora*) in his late panegyric in the British parliament, upon the British navy, [see page 138] mentions John Humble, boatswain of the late frigate Java. There is an anecdote of Humble which may never have come to Mr. Croker's ears. It is related by the officers of Constitution who were present when the circumstance took place. It is this:

Two or three evenings after the crew of the Java were taken on board the Constitution, Humble was sitting in a corner of a ward room, in which there were a number of officers of both ships. A British lieutenant of marines observed, "He wished to heaven that the crew of the Java were again on board of her in good condition, and that they might again fall in with the Constitution—he had no doubt they would give a very different account of her." Humble looked up, and said—"Sir, whenever in the Java, or any other British frigate, you may fall in with, as an enemy, such a ship and such a ship's company as this, I had rather be on yonder hills (pointing to the hills on the coast of South America) looking at ye, than to be on board of ye!"

*British naval glory.*—"From the London *Morning Chronicle*:—It is one of the peculiar traits in the character of the present naval administration, that a *line of battle ship*, with an admiral's flag flying (that of lord Amelius Beauclerk,) is now appointed to cruise, in hopes of encountering an American frigate!"

*A good remark.*—An eastern editor asks the "*moral and religious people*," who hold it wrong to make war upon the "*innocent Canadians*"—*if Great Britain did not* CONQUER *that country by the* AID OF OUR ANCESTORS?

A *Boston* paper says, that the commander of the fort at *Newport*, R. I. has issued an order, stating that no American vessel will be permitted to leave that place with more provisions on board than is sufficient for the crew.

A *Newburgport* paper says, "The elegant mansion-house, late of gen. Peabody, built a few years since at an an expence of 31,000 dollars, (land &c. included) went off under the hammer, last Tuesday, at 7,550 dollars!—*O tempora!*"

In *Pennsylvania*, entire plantations, hundreds of acres, 50 or 60 miles from a sea-port, are selling for $250 *per acre*. O MORES!

Brigadier-general *Cass*, has been appointed provisional governor of the Michigan territory.

*Steele's navy list.* There never was a set of creatures so wretchedly deceived as the *British*. We were not acquainted with the extent of this delusion till the "events of the war" brought to us their "*official accounts*" of things with which *we* also were acquainted. *John Bull* is to be pitied; for every chance of information is so polluted, that he cannot discern the truth of passing events, strive as much as he may. He has no source of *private* information, for every *letter* and *newspaper* arriving in his country is examined by the government, who give out such parts as may *conveniently* be made known. In *Steele's list* we did expect something of *honesty*, but it is like the rest. Take the following cases—

When the *Guerriere* was captured from the French, she was called a *forty-four* gun frigate of the first class. The British ADDED *five* guns to her complement, making *forty-nine* in all, and, when we took her, called her a *thirty-eight* gun frigate, captured by the Constitution of *fifty-eight*.

The capture of the *Chesapeake* of *forty-nine* guns, is announced by the *Shannon* of *thirty-eight* guns, though each had the same number of guns.

The *Argus* is said to have carried *twenty-four* guns, and to be taken by the *Pelican* of *eighteen* guns; though there is no fact more notorious than that the latter was by far the most powerful vessel.

The *Majestic*, a razee, now on our coast, having all the strength and efficient armament of a 74 gun ship, and carrying about 70 guns, is called a *fifty-four*. Now what a boast would be if this "*fifty-four*" should capture the *President* frigate of *fifty-eight!*

There is no doubt but that these *razees* were fitted out for the *express* purpose of *gulling* the *British* nation; and, prostituted as the press is, if one the[m] should succeed in taking an American frigate, th[e] design will be partially effected.

By a British general order inserted below, it appears that "his majesty's" government has directed the close imprisonment of *forty-six American officers and non-commissioned officers*, to be retained as hostages for the safety of twenty-three soldiers we hold in security for the release of as many of our citizens, taken at *Queenstown*, and sent to England, on the pretence of their being British born subjects, &c.

*Commodore Decatur* fired a salute at *New-London*, for *Harrison's* victory; but brigadier-general *Burbeck* (of the U. S. *army*) did not.

MONTREAL, October 30.

Yesterday sixty-two American prisoners arrived here, which were taken in the upper province and at Chateauguay.

We see by the Quebec Gazette of the 21st inst. that the embargo on all articles of grain and provision which had been continued to the 5th of the present month, is extended, (with the exception of supplies necessary for the fisheries on the coast of Labrador, and the settlements on the Anticosti,) 'till the 15th of December next.

## MILITARY.

*From the Northern Armies.*—We have no official information, nor, indeed, any other account that can be relied upon. It is stated, that Gen. *Wilkinson* left Grenadier island, about the 1st inst. with his whole force 8,700 men, to proceed down the *St. Lawrence*. Besides those, he had three regiments of light dragoons at *Ogdensburg*. It is further said, that the advance under gen. *Brown* had had a skirmish with the enemy, whom he directly dispersed. The troops from fort George had joined. *Chauncey* still employed in waiting on sir *James L. Yeo*. It is uncertain whether *Kingston* or *Montreal* was aimed at. Montgomery took the latter on the 12th of November, 1775. Of *Hampton's* skirmish we have no additional information worthy of note. A *Buffalo* paper of Nov. 2, says that on the preceding Wednesday the troops under *Harrison* crossed the Niagara, at Black Rock, and marched for *Fort George*—the enemy are said yet to have some troops in the vicinity. It seems as if *Harrison* himself had afterwards went on to join *Wilkinson*. We think that for next week's paper, we shall have an account of the late movements, &c. worthy of record. The following letter from *Sackett's Harbor* throws a little light upon the proceedings—

*Extract of a letter from Sackett's Harbor, dated November 5.*

"I have procured for you and enclose a copy of a letter from gen. Brown to the colonel commanding at this post. Gen. Wilkinson left Grenadier island on the 3d, with the last division of the army, accompanied with commodore Chauncey and his fleet. The weather since the 3d has been much more favorable than we have had for the last five weeks. It is understood here, the British have been concentrating at Prescott, with a view to make all the resistance possible. Eight Canadians deserted to this place two days ago. The militia, since the capture of Proctor's army, are very unwilling to do duty. Those who refuse, even though born within the United States, are treated with great cruelty. They deny our right to employ British subjects in our army or navy, even with their own approbation, yet they *force* American citizens to fight their battles both by sea and land, whether they will or not."

*Head-quarters, French Creek, Nov. 2, 1813.*

SIR—We were attacked last evening by the enemy. He shewed two brigs, and two schrs with

some gun and other boats. He was repulsed. This morning the attack was renewed with the same success. The enemy did not succeed in landing any where in the neighborhood of our position, that I have yet learned. We have lost, say ten men in killed and wounded. The enemy must have suffered very considerably, as we saw many bullets take effect.

He is now making the best of his way into Kingston Channel. Our boats have sustained no injury whatever.

By order of general Brown,

L. AUSTIN, aid-de-camp.

Col. Richard Dennis,
commanding Sackett's Harbor.

It is agreed that *Tecumseh* was killed in the battle on the *Thames*. He was, perhaps, the greatest "indian warrior that ever lifted a tomahawk." More than 100 of his followers, it seems, were slain on the field, for they fought bravely, and stood their ground manfully. The survivors who have came in and received protection, speak much of the cowardice of *Proctor* and the *British*. The chief *Walk-in-the-water* was second in command, and has come in; as a condition of his pardon, he sat out to catch his "father," major-general *Proctor*—but, unfortunately, failed; not, we believe, for want of a disposition to seize the royal murderer. The fruits of *Harrison's* victory, independent of its eventual advantages, are thus stated—609 British regulars prisoners, 2 colonels, 4 majors, and 17 officers of the line; 12 pieces of cannon; 6000 stand of arms; and an immense quantity of ammunition and stores valued at one million of dollars.

*Extract of a letter to the editor of the Weekly Register, dated Chilicothe, Nov. 9.*

"About *six hundred* prisoners captured from "his majesty" in Canada, by the gallant Harrison and his brave *backwoodsmen*, arrived here this evening under the care of a "BOY," *immortalized* as the "*hero of Fort Stephenson*"—(L. Sandusky)—the gallant, the intrepid *Croghan*. They will join their *comrades*, taken with the Erie British fleet, to morrow, at "*Camp Bull*," about 3-4 of a mile above our town, on the bank of the Scioto river. There are several families of women and children with them. The *officers*, I believe, with the exception of one or two, left sick, are all in town, on parole—they are in general, *dashing young bucks*. The whole number of prisoners now at this place, including officers, and the families of soldiers, amounts probably, to upwards of *one thousand*. I understand they are to remain here all winter, and perhaps, till exchanged. Extensive barracks are erecting at "Camp Bull" for their accommodation. Their guard is composed of militia from this town and neighborhood. I shall endeavor to send you in my next a compleat roll of the officers names, rank, &c. with the number and description of troops at camp.

"Col. Campbell, lieut. col. Croghan, and several other officers from the army, are in town. I was as much astonished as pleased in beholding, this evening, the youthful hero. Indeed, to think of the *mighty deed* which he performed, and of the immortal fame that deed has gained him, and then behold his *very youthful* appearance, you would almost involuntarily exclaim, with the British officer at Senecka—"*Gracious God! is it possible!*"

The *Petersburg Volunteers* have been discharged in the most honorable manner by brigadier-general CASS. He says—

"In granting a discharge to this patriotic and gallant corps, the general feels at a loss for words adequately to convey his sense of their exalted merits. Almost exclusively composed of individuals, who had been nursed in the lap of ease, they have for 12 months borne the hardships and privations of a military life, in the midst of an inhospitable wilderness, with a cheerfulness and alacrity which has never been surpassed; their conduct in the field has been excelled by no other corps."

The same "general order" also "grants an honorable discharge" to the Pennsylvania militia, under col. Hill.

*The Creeks.*—We have no important incidents from the Creek country since our last. The editor of the REGISTER acknowledges the receipt of a communication from *Tombigbe*, which he designs to insert in his next number. It contains some interesting facts of the past, with many important remarks as to the future dispositions of this people.

The editor of the REGISTER is indebted to a venerable friend residing near the Canada line, for a *Montreal* paper of the 30th ult. containing the two following "general orders."——

HEAD-QUARTERS,

*A Fourche, on Chateauguay river, Oct. 27th, 1813.*

GENERAL ORDERS.—His excellency the governor in chief and commander of the forces has received from major-general De Watteville, the report of the affair which took place at the advanced position of his post, at 11 o'clock on Tuesday morning, between the American army under the command of major-general Hampton, and the advanced pickets of the British thrown out for the purpose of covering working parties, under the direction of lt. col. De Salisberry; the judicious position chosen by that officer, and the excellent disposition of his little band, composed of the light company of Canadian fencibles, and two companies of Canadian voltigeurs, repulsed with loss the advance of the enemy's principal column, commanded by gen. Hampton in person and the American light brigade under col. M'Carty, was in a like manner checked in its progress on the south side of the river, by the gallant and spirited advance of the flank company 3d batallion embodied militia under captain Daly, supported by captain Bruyers' company of Sedentry militia. Captains Daly and Bruyers being both wounded, and their companies having sustained some loss, their position was immediately taken up by a flank company of the first batallion embodied militia. The enemy rallied and repeatedly returned to the attack, which terminated only with the day in his complete disgrace and defeat, being foiled by a handful of men not amounting to a *twentieth* part of the force opposed to them, but which nevertheless by their determinied bravery maintained their position, and effectually protected the working parties, who continued their labors unmolested. Lieut. col. De Salisberry reports having experienced the most able support from captain Ferguson in command of the light company Canadian Fencibles, and also from captain Jean Bapt. Duchesnay of the two companies of Voltigeurs; from captain Lamoote and adjutants Hebden and O. Sullivan, and from every officer and soldier engaged, whose gallantry and steadiness were conspicuous and praise-worthy in the highest degree.

His excellency the governor in chief and commander of the forces having had the satisfaction of himself witnessing the conduct of the troops on this brilliant occasion, feels it a gratifying duty to render them that praise which is so justly their due; to major-general De Watteville for the admirable arrangement established by him, for the defence of his post; to lieut. col. De Salisberry for his judicious and officerlike conduct displayed in the choice of position and arrangement of his force: to the officers and men engaged with the enemy, the warmest

acknowledgments of his excellency are due, for their gallantry and steadiness, and to all the troops at the station the highest praise belongs, for their zeal, steadiness and discipline and for the patient endurance of hardship and privation which they have evinced. A determined perseverance in this honorable conduct cannot fail of crowning the brave and loyal Canadians with victory, and hurling disgrace and confusion on the head of the enemy that would pollute their happy soil.

By the report of prisoners, the enemy's force is stated at 7,500 infantry, 400 cavalry and ten field pieces. The British advanced force actually engaged, did not exceed *three hundred** The enemy suffered severely from our fire, as well as from their own; some detached corps having fired upon each other by mistake in the woods.

Canadian light company had 3 rank and file killed —1 sergeant, 3 rank and file wounded.

Voltigeurs, 4 rank and file wounded.

Third battallion flank company, 1 captain wounded, 2 rank and file killed, 6 wounded and four missing.

Chateauguay Chasseurs, 1 captain wounded.

Total—5 rank and file killed—2 captains, 1 sergeant, 13 rank and file wounded, and 4 missing.

Officers wounded—captain Daley, 3d embodied militia, twice wounded severely, but not dangerously.—Captain Bruyers, Chateaugauy chasseurs, slightly.

(Signed) EDWARD BAYNES, adj. gen.

*Head-quarters—Montreal, 27th Oct.* 1813.

GENERAL ORDERS.

His excellency, the governor general and commander of the forces, having transmitted to his majesty's government a letter from major-general Dearborn, announcing that the American commissary of prisoners, resident at London, had informed his government that twenty-three soldiers of the 1st, 6th and 13th regiments U. S. infantry, taken prisoners, had been sent to England, and were detained in rigorous confinement, as British subjects; and that the said major-general Dearborn had received instructions from his government to place in close confinement twenty-three British subjects to be kept as hostages and exchange of the aforesaid United States' soldiers sent to England; and that, in obedience to his said instructions he had caused twenty-three British subjects to be closely confined, and kept as hostages: And the persons mentioned in the letter of major-general Dearborn, being soldiers serving in the American army, made prisoners at Queenstown, who declared that they were born British subjects, having been sent in confinement to England to be tried according to law: his excellency the commander of the forces has received orders from his royal highness the Prince Regent, through the office of the right hon. lord Bathurst, secretary of state, to announce without delay to major-general Dearborn, that he had transmitted to his government a copy of that letter, and that in consequence he had received instructions to give explicit notice to major-general Dearborn, that his excellency had been commanded by his royal highness the Prince Regent, to forthwith closely imprison and detain forty-six American officers and non-commissioned officers as hostages for the safety of the twenty three British soldiers who have been closely confined by order of the American government. At the same time, his excellency is directed to give notice, that he is authorised, in case any of the said British soldiers should suffer death under the pretext that the soldiers, now prisoners in England, and whom not only the laws of Great Britain but of every independent state, placed under the same circumstances would condemn, have been found guilty and in consequence been executed, to select from among the American officers and non-commissioned officers, double the number of British soldiers who shall have been so unjustly put to death, and to immediately execute the said officers and non-commissioned officers.

And his excellency is further authorised to make known to major-general Dearborn, that the commanders of the armies and of the fleets of his majesty on the American coasts, have received orders to prosecute the war with unintermitting rigor against all the towns, cities or villages, belonging to the United States, and against the inhabitants thereof, if, after the due communication of these presents to major-general Dearborn, and the grant of a reasonable time for transmitting them to the American government, that government should unhappily refuse to abandon its design of taking away the lives of any of its soldiers who are at present, or who may hereafter, be kept as hostages, for the causes mentioned in the letter of major-general Dearborn.

His excellency the commander of the forces, in announcing to the troops the orders of his royal highness the Prince Regent, flatters himself that they will be sensible of the paternal solicitude which his royal highness has shewn for the protection of the person and honor of the British soldier, which, in contempt of justice, of humanity, and the law of nations, have been grossly outraged in the persons of twenty-three soldiers now closely confined as hostages for an equal number of traitors who have been guilty of the infamous and unnatural crime of raising their parricidal arms against the country which gave them birth, and who will be tried according to the equitable laws of their offended country.

The British soldier will view this outrage, which is an abandonment of all principle, and an aggravation of the atrocious insults and cruel barbarities daily and maliciously practised on many of his unhappy comrades, who have fallen into the hands of the enemy, as an additional incitement to confirm his resolution never to yield, but with his life, his liberty to an enemy, who is a stranger to every principle of honor, of justice, and of the laws of war.

EDWARD BAYNES,
Adjutant-general of British North America.

[A letter from governor *Prevost* to major gen. *Wilkinson*, to the same purport as the preceding "general order" appears in the *National Intelligencer* of the 18th inst. On inserting which, the editor observes—

"We are not a little pleased to learn, from an official source, that as soon as these measures of the enemy were made known to our government, the President gave orders to have forty-six of the *principal officers* of the enemy in our possession put in close confinement. We presume these officers will be selected from those who were taken by com. Perry and general Harrison, and are now in Ohio and Kentucky. This just measure of retaliation is not so severe as it might be: but it will teach the British government that republics possess energy when the times require it"]

From the London Gazette—Sept. 11.

COLONIAL DEPARTMENT,
*Downing-Street, Sept.* 7.

A despatch, of which the following is an extract, has been received by earl Bathurst, one of his majesty's principal secretaries of state, from lieut. gen. sir George Prevost, Bart.:

"*Kingston, U. C. July* 3, 1813.

"I have the honor to transmit to your lordship copies of letters from colonel Vincent and lieutenant colonel Bisshopp, and of the papers accompanying them, containing the highly gratifying intelligence of the capture, on the 24th ultimo, of a body of the enemy's forces, consisting of two field officers, 21 other officers of different ranks, 27 non-commissioned officers, and 462 privates, together with a stand of colors, and 2 field pieces. The details of this gallant affair, which reflects so much credit on *our Indian allies* as well as upon lieut. Fitzgibbon, for the promptitude and decision with which he availed himself of the impression their attack had made upon the enemy, will, I have no doubt, be read by your lordship with great satisfaction. Since the surprise of the enemy's camp at Stoney Creek, on the 6th ultimo, and their subsequent retreat from the forty-mile Creek, in which almost the whole of their camp equipage, together with a quantity of stores and provisions, fell into our hands, Major-general Dearborn has withdrawn the troops from fort Erie, and has concentrated his forces at Fort George. Colonel Vincent has in consequence made a forward movement from the head of the lake, in order to support the light infantry and Indian warriors, who are employed in circumscribing the enemy, so as to compel them to make use of their own resources for the maintenance of their army. Major-general de Rottenburg has assumed the command of the Centre Division of the army of Upper Canada. After the squadron under commodore sir James L. Yeo had shown itself off the Forty-Mile Creek, which principally determined the enemy to retreat from that position, it was very successfully employed in interrupting and cutting off the supplies going from the Gennessee river, and their other settlements upon the southern shore of the lake; five small vessels, with provisions, clothing and other articles were taken, and several loaded boats were captured and some destroyed.

[Transmitted by colonel Vincent.]

*Beaver Dam, June* 24, 1813.

SIR—I have the honor to inform you, that the troops you have done me the honor to place under my command, have succeeded this day in taking prisoners a detachment of the United States' army, under the command of lieut. col. Boerstler. In this affair the Indian warriors, under the command of captain Kerr, were the only force actually engaged; to them great merit is due, and to them I feel particularly obliged, for their gallant conduct on this occasion. On the approach of the detachment of the 49th regiment, under lieutenant Fitzgibbon, and the light company of the 8th or king's regiment, the two flank companies of the 104th, under major de Harden, and the provincial cavalry under captain Hall,

* To have made "this official account" *complete*, the British should have *surrounded* Hampton's army of 7,900 men with their 300, and made the whole prisoners. ☞Lest some, from the monstrous lies contained in this account, may suspect it a forgery, the editor of the REGISTER assures his readers, that he copied it immediately from the *Montreal* paper, in which it first appeared.

the whole surrendered to his majesty's forces. To the conduct of Lieut. Fitzgibbon, through whose address the capitulation was entered into, may be attributed the surrender of the American force. To major de Harden, for his speedy movement to the point of attack, and execution of the arrangements I had previously entered into with him, I am very much obliged. I have the honor to enclose the capitulation entered into between colonel Boerstler and myself, and a return of prisoners taken, exclusive of wounded, not yet ascertained. I lost no time in forwarding my staff adjutant, lieut. Barnard, to communicate this intelligence. He has been particularly active and useful to me upon all occasions. I have this opportunity of mentioning him to you, and beg the favor of you to recommend him to sir George Prevost, as an active and promising young officer.

I have the honor to be, &c.

(Signed) CECIL BISHOPP,
Lieut. Col. commanding the troops in advance.

Brig. gen. Vincent, &c.

*Township of Louth, June* 24, 1813.

SIR—At de Coris, this morning about 7 o'clock, I received information, that about 1050 of the enemy, with two guns, were advancing towards me from St. David's. I soon after heard a fire of cannon and musketry, and in consequence rode in advance two miles on the St. David's road; I discovered by the firing, that the enemy was moving for the road on the mountain. I sent off cornet M'Kenney to order out my detachment of the 49th, consisting of a subaltern and 46 rank and file, and closed upon the enemy to reconnoitre. I discovered him on the mountain road, and took a position on an eminence to the right of it. My men arrived, and pushed on in his front to cut off his retreat under a fire of his guns, which, however, did no execution. After examining his positions, I was informed he expected reinforcements; I therefore decided upon summoning him to surrender. After the exchange of several propositions, between lieut. col. Boerstler and myself, in the name of lieut. col. de Harden, lieut. col. B. agreed to surrender on the terms stated in the articles of capitulation. On my return to my men to send out an officer to superintend the details of the surrender, you arrived.

I have the honor to be, &c.

(Signed) J. FITZGIBBON.
Lieut. 49th foot.

To major de Harden, &c.

*June* 24, 1813.

Particulars of the capitulation made between captain M'Dowell, on the part of lieut. col. Boerstler, of the United States' army, and major de Harden, of his Britannic majesty's Canadian regiment, on the part of lieut. col. Bishopp, commanding the advance of the British, respecting the force under lieut. col. Boerstler.

1st. That lieut. col. Boerstler, and the force under his command, shall surrender prisoners of war.

2d. That the officers shall retain their arms, horses and baggage.

6d. That the non-commissioned officers and soldiers shall lay down their arms at the head of the British column, and become prisoners of war.

4th. That the militia and volunteers, with lieut. col. Boerstler, shall be permitted to return to the U. States, on parole.

(Signed) ANDW. M'DOWELL,
Captain U. S. light artillery.

*Acceded to,*

(Signed) P. G. BOERSTLER,
Lieutenant-Colonel commanding detachment U. S. army.
P. V. DE HARDEN,
Major Canadian reg't

RETURN

*Of American Prisoners taken near Fort George, June* 24, 1813.

Light dragoons—1 cornet, 1 sergeant, 19 rank and file. Light artillery—1 captain, 1 lieutenant, 1 sergeant, 31 rank and file. 6th regiment of infantry—1 captain, 1 lieutenant, 3 sergeants, 54 rank and file. 14th ditto—1 lieut. colonel, 3 captains, 11 lieutenants, 1 surgeon, 15 sergeants, 300 rank and file. 20th ditto—1 major. 23d ditto—1 captain, 4 sergeants, 2 drummers, 57 rank and file.

Total—1 lieut. colonel, 1 major, 6 captains, 15 lieutenants, 1 cornet, 1 surgeon, 25 sergeants, 2 drummers, 462 rank and file.

*Return of Ordnance, &c.*

One 12 pounder, one 6 pounder, 2 cars, stand of colours of the 14th U. States' regiment.

(Signed) EDW. BAYNES,
Adj't Gen.

The loss of the enemy is supposed to be about 100 in killed and wounded.

*From the Buffalo Gazette.*

The following interesting extract of a letter, was written by a captain in the British dragoons (addressed to his parents in England) and found among Gen. Proctor's papers—and we are assured by an officer in the army, that it was found with a *broken seal*; probably having been entrusted to a distinguished officer of the British army, who fearing it might contain something concerning his own conduct, his curiosity led him to examine its contents:

Extract from a letter written at

"*Detroit, Sept.* 26, 1813.

"Our fleet upon the lake sailed about 20 days ago, from our port into that of the Americans, after a close action of 3 hours and a half, without one making their escape: the consequence of which is, we have lost all hopes of ever regaining the command of the lake; and our army, consisting of 550 regulars and 2500 wild Indians, who have declared that they will not budge one inch further, and remind us of our general having promised to conquer or leave their bones with them; as we are now completely in the savages' power, we are obliged, in a great measure, to act as they think proper. The celebrated chief Tecumseh, dined with me last Friday, and assured me his Indians were determined to give battle the moment the Americans approach. Our general should he act contrary to their wishes, may repent his rash opposition;—however prudent he may conceive a retreat at such an awful crisis. These savages have no mercy. The tomahawk and scalping knife decide immediately the wretch who falls in their hands, and many dread the *war whoop* may sound in our ears, if we act contrary to their ideas, which are as wild as themselves. *We have spread a net which may catch us. I hate these savage barbarians.* You cannot place confidence in them; and without a sufficient force to keep them in check, they are more plague than profit."

The subjoined document was found among Gen. Proctor's papers taken at the battle of the Thames, which we have obtained the permission of Gen. Harrison to publish. It will be read with considerable interest. *Buffalo Gazette.*

COPY

Of a letter from Sir George Prevost to Commodore Sir James Lucas Yeo.

"*Head-quarters—Kingston, 10th September*, 1813.

SIR—The Centre Division of the Upper Canada army found in a situation very critical and one novel in the annals of war, that of investing a force vastly superior in numbers, within a strongly intrenched position. It was adopted and has been maintained from a confident expectation, that with the co-operation of the squadron under your command, a combined attack, even this, could have been effected on the enemy at Fort George, with every prospect of success. To the local disadvantages of the positions occupied by our army, have been added disease and desertion to a degree calling for immediate remedy. You are, therefore, required to proceed with the fleet under your command, with the least possible delay, to the head of the lake, affording sufficient convoy to the small vessels containing those stores and supplies of which the army is in the most pressing want. Upon your arrival near the head-quarters of the Centre Division, you will consult with major-general De Rottenburg, who will unite in his person, the civil and military command in Upper Canada, upon my withdrawing from the province upon the eligibility of a combined attack, for the purpose of dislodging the enemy from the position of fort George, by a rapid, forward movement of the army, bringing up in battery at the same time, the heavy ordnance, mortars and howitzers now embarked. This attack must be supported by the countenance of your squadron and the fire of such vessels as are armed with a description of ordnance favorable to it. Should this attempt appear to you to be attended with too great hazard to the squadron, under the possible circumstance of the enemy appearing on the lake, you will in that case distinctly state your sentiments to major-general De Rottenburg, who will immediately upon ascertaining your inability to assist him, take measures for evacuating the position he now occupies. In the execution of which movement you will give his army every support and assistance, consistent with the safety of your vessels; and having performed this service, you will pursue such measures as shall appear most probable speedily to ensure the acquisition of the naval ascendancy.

You are already acquainted with the decided line of conduct which I wish to be observed on lake Erie, by capt. Barclay, and you will not fail to impress on that officer the absolute necessity of regaining the naval superiority, and to preserve uninterrupted the intercourse between Amherstburg and Long Point; in order that the supplies and stores in depot at the latter place, and at the head of the lake, may be transported in safety to the Right Division.

The flotilla of transports on lake Ontario are to be kept employed, as long as the season will admit, in the conveyance of the provisions and other supplies collected at Kingston, and destined for the Right and Centre Divisions of the army, and they are to receive from your force the necessary protection.

I have the honor to be, sir, your most obedient humble servant.

(Signed) GEORGE PREVOST,
Commander of the forces.

Com. Sir J. L. Yeo.

GROANINGS.—*From the Quebec Gazette.*—"The victory gained by the Americans on lake Erie, has excited an enthusiastic joy throughout the United States. The two great political parties in that country are vieing with each other for the honor of that victory, and all opposition to the war seems for a time to be forgotten in the gratification of national pride which it has afforded.

"The contest, if it ought ever to have been so called, between Great-Britain and the United States, on the water, has indeed been gratifying to the Americans, and mortifying to British subjects, beyond any thing that could have been figured by the utmost stretch of imagination. Vessels of an inferior class, very badly manned, have been, as is were, thrown in the way of the enemy's vessels, fresh from port, fully prepared, and manned with picked seamen, so as to afford them, at least, a semblance of superiority, over British officers and seamen, beyond what was ever obtained by the most powerful and brave of the numerous nations with whom they have contended.

"How long this disgraceful state of things is to last, we cannot tell; but if it is not quickly remedied, we are sure that it will not only prove ruinous to these provinces, but dangerous to the naval existence of British greatness, which has arisen from the superiority of her naval officers and seamen over those of every other nation; for though the Americans cannot for the present with their eight frigates, destroy the two hundred ships of the line of Great Britain, their successes will infuse fresh vigor into all her enemies, which ought always so be counted as consisting, or likely to consist of every nation that navigates the ocean.

"The good citizens of London may triumph in their victories in Spain and Portugal; but the conquerors of Vittoria and the Py-

genees will not long defend England, should she suffer the sceptre of the ocean to slip out of her hands. Then, in the insulting language of one who hates her, "she must take the rank among nations to which her population and territorial resources entitle her;" the rank from which her trade and seamen raised her; we must receive governors from Rome and kings from Normandy.

*The following remarks on the preceding article are from a Halifax paper of the 30th ultimo.*

"We cannot imagine what power is to wrest from us the "*sceptre of the ocean.*" A handful of American frigates have evaded our cruisers, but without taking from their deserts, we can safely say, they have been extremely favored by fortune. To such celebrity have they arrived, that the destruction of them would cause more rejoicing, than the battle of the "*Nile*" or "*Trafalgar.*"

"The extract we have given from the Quebec Gazette has great merit, though alloyed by a mixture of fretfulness, which, perhaps, local circumstances may excuse. So far from questioning the right "*the good citizens of London*" may have for triumphing for the battles of *Vittoria* and the *Pyrenees*, we hold them as auspicious to our national character, honor, and possibly salvation; the only thing we have to console us in the event of the sceptre of the ocean slipping from our hands, is the heroism of our army; posterity will do it justice, and its leader, in the future pages of history, will not have a less distinguished place than the immortal Nelson.

"We have not a doubt but the citizens of Canada, should a contest take place on shore, will have cause to join chorus with those of London, for battles won by our army."

*A Montreal paper of October 16, says*—"At Sackett's Harbor, the Americans have laid the keels of two vessels equal in length to the Pike; and we are a little further advanced in one that was begun some three months ago! The fate of commodore Barclay cannot be sufficiently lamented; sixty or seventy additional sailors would have enabled that brave officer to have saved a country larger than the empire of Alexander the great."*

*Smuggling and Treason*—The following is a copy of a letter found on board one of the *Yankee's* prizes:

MORLEY, Eng. 3d Aug. 1813.

DUPLICATE.

*Mr. James Webster—Quebec.*

SIR—Have your letter of the 19th June to hand a few days ago, in which you say the goods you have sold in Canada, except a few pieces, and about 300 or 400l. which has got to *Albany*. If these be all the goods you have unsold, I am convinced you might have made me a remittance; but I am informed by a gentleman from the United States, that you had twice the above amount in *Albany*. I can assure you I have never been so disappointed since I *began the business*, as I have been this summer. *The goods in New York and Philadelphia* we know were locked fast, but knowing what goods were in Canada unsold, I had as much confidence as man could have that I should have remittances for them as soon as any money could be transferred from thence; but you have disappointed me in a manner no person could have made me believe you would have done; other persons have met with a good market in Canada for their goods, and made remittances for nearly the whole of them since; when at the same time I could not hear one word of you, either from yourself, or by any other person where you was; indeed I have been so completely at a loss to know whether you were on the land of the living or not, having never heard from you from January to June, and then you neither say where you have been, or what you have been doing. Have received 400l. per favor of Messrs. Dodshon and Dickerson, but their letter dont say where you was; only please hand the within bill to Mr. Dixon from Mr. Webster. You surprise me by saying you can sell the goods in *Albany* any day, but you think it better to let them lay till next fall, when, at the same time you must be certain that the money would have been worth double to me here than what you can get extra advance in the fall, if you only considered what goods are locked fast in *the States*, and what I had on hand manufactured for there. Herewith have enclosed you invoices and patterns of eight bales of cloths; and should wish you to make them into money as soon as possible, but not to sacrifice them;—though I am particularly straitened for money, yet should not wish the goods sacrificed to relieve me, but leave it entirely to your own judgment how low you are to go, as they are invoiced as usual. I sent you seven bales by the vessel with Mr. Isaac Dodshon, who I hope has arrived safe and in good health, and hope the goods are sold and a remittance on its way to this country. Messrs. Wm. Gildee and Sons, I believe, have sent you nine or ten bales cloths, and instructions along with them; your father has also sent you three bales cloths; hope you will not have left Quebec before the first part arrives. Have sent you on an account of what goods were in the hands of friend Merrick, also the state of my account with him, except the difference of exchange in purchasing bills: since writing you that account, have received letters from Mr. Merrick and Mr. John Vaughan, desiring I would send on such *accounts as would prove them Mr. Merrick's property*, otherwise *the bonds would not be given up*; accordingly have sent them *such documents as will enable them to get them out of the hands of government*; in such case dont see a power of attorney would be of any use, but when you can leave Quebec. Before winter sets in, would have you go on to *Philadelphia*, if you can with safety, and see both Mr. Merrick and Mr. John Vaughan, and endeavor to get what money you can, *if they have got the goods liberated*, and forward it as soon as possible; you will see by the account, that I have received very little on account of *those goods sent him* when my former account is balanced; hope you will use every exertion you can to get what money from them you can, but leave the way and manner to your own judgment; only to take care to *take no paper along with you* that will do *any harm* if they are taken from you. Wishing you health and prosperity, and am, sir, yours respectfully.

For JOSEPH DIXON,

JO. ASQUETH.

Extracts from a letter from William Hodgson and Co. merchants at Sheffield, Eng. to Henry Cox, merchant, Quebec. This letter was intercepted by the Yankee privateer—dated

"*Sheffield, 8th mo. 3d*, 1813.

"We have shipped to thy care a considerable proportion of the goods we had in Liverpool, and which would amount to about 4000l. This we are induced to do by what thou says in thy No. 3, and in hopes thou wilt be able to get quit of most or all of them pretty directly on arrival, on advantageous terms—and should not this be the case, the remainder which are not disposed of, may lay over in Quebec until the ensuing spring, and should they not be disposed of, and an opening should take place with the United States, they might then, if necessary, be re-shipped for Philadelphia. *If thou does attempt to get any goods into the country thou alludes to in thy No. 3, it will require great care and caution on thy part, and thou must be sure to act safely, or not at all.*"

## NAVAL.

The *London Gazette*, (the British official paper) of the 13th September is stated to contain a list of "*one hundred and twenty-nine vessels taken from the Americans by the squadron under admiral Warren, between the 30th of March and 22nd July last.*" What a glorious list for John Bull—129 VESSELS! !—Off hats and huzza for *Britain's* omnipotence! !——But softly, how many of those "*vessels*" were *oyster boats*, and *wood flats*, and *batteaux*—*Sir John* has not told *that.*

By turning to the account of the capture of "his majesty's" schr. Dominica, by the Decatur privateer, it will appear that the Queen Charlotte packet was in company; and, seeing the result of the battle, made her escape. Well, this packet has arrived in *England*, and reported that she left the Dominica *in chase* on an American privateer!

The United States have on the southern coast, a cutter called the *Young Boxer*, carrying 9 guns, and commanded by sailing master *Mork*. This vessel is not mentioned in our navy list.

*Baltimore* has *now* at sea a good many stout privateers and well armed letters-of-marque. We do not expect however, that they will *burn* villages in the *West Indies*, *steal negroes*, or rob *old women*. If any were known to do, what *Cockburn* and the "mild" *Warren* did—they would be kicked out of a society of scavengers.

*Copy of a letter from commodore Lewis to the secretary of the navy.*

NEW-YORK, November 7, 1813.

SIR—I have the honor to inform you of the re-capture of the American schr Sparrow, of Baltimore, from New-Orleans, bound to this port, laden with sugar and lead. On the third, the enemy's ship Plantagenet chased the said vessel on shore near Long Branch, six miles distant from where the flotilla is stationed, and took possession of her with about one hundred men. A detachment from the flotilla marched against them, attacked them, drove them from on board the vessel, and took possession under a fire from the enemy's ship and barges. In the affair we lost one man; the enemy's loss must have been considerable, as many were seen to fall. The whole cargo, together with sails, rigging &c. have been saved, vessel bilged.

I have the honor, &c.

J. LEWIS.

*Hon. William Jones, secretary of the navy.*

The salvage of the cargo of the *Sparrow* was a very gallant affair. The 74 came near enough to fire *grape shot* at our people; having no sort of shelter, they laid down on the sand, and presented their *heads* to the enemy; and when his barges neared the shore they rose and beat them off. To the shame of the people of the neighborhood, they refused any assis-

*We took more *prisoners* on *Eric* than we had men engaged in the fight.

tance; nay, it is said, even denied a spade to dig a grave for the man that was killed.

BLOCKADE OF THE CHESAPEAKE.

From a journal kept at *Point Look Out*, (mouth of the *Potomac*) it appears that the barbarians frequently conflagrate the dwellings of the people near the shores. This is what some call "*magnanimity.*"

*Always ready with an excuse.*—A *Boston* paper; after inserting two or three articles from the *Alexandria* Gazette, respecting the state of things near the mouth of the *Potomac*, has the following excuse.

"NOTE. Letters from England state that in consequence of the destruction of the Irish and English coasters, by the U. S. brig Argus, (which had been ascertained, it was said, to have been in consequence of preremptory orders from the American government) the admiralty had given orders for the most severe retaliation on the American coasting trade and craft. The following instance is thus complained of—"*Waterford, Aug.* 18. Mr John Lewis, a dealer in cattle, informs us that the Dinah-and-Betty, a coaster, in which he was passenger, having thirty head of cattle on board, was taken by the Argus on Wednesday, near the Small's, in sight of two other coasters then burning; that the enemy killed three of the cattle for the use of the crew, *and burned the rest with the vessel.*"

Now it would be *implied* by this, that the destruction of the vessels of an enemy, was something *new* to the usages of war, though it has been practised, and held lawful, by all nations in every age of the world. How very pitiful!—Do not all men recollect, that *admiral Cockburn* went *a-boat-hunting* in manyof the rivers and creeks of the *Chesapeake.* Did he spare the most miserable craft that he could lay hold of? No—*every thing* was burned or destroyed. Were these things done "*in consequence*" of the orders given to the *Argus?* They happened before that vessel sailed! As to the paragraph quoted from *Waterford*, the *Boston* editor is morally certain that it is false—a base and wicked lie. Yet he inserts it without a remark. Captain *Allen* was distinguished for his humanity—but the *say-so* of a "Mr. *John Lewis*" an Irish "dealer in cattle," is to impeach the character of the illustrious dead! *For shame!* We owe nothing to the forbearance of the enemy—he has done all that the laws of war allowed, and added thereto the proceedings of a savage. Whatever we might think of a *British admiral* employed to destroy *oyster boats* and *wood flats*, we never complained of what he done in this respect. It is barbarisms on the shore that have stamped him with eternal disgrace.

About 1500 American prisoners remained at *Halifax* on the 30th ult. reported very sickly. A cartel is expected at Salem with 300 of these unfortunate men.

## To-day and to-morrow.

The following pointed paragraph, extracted from a letter to the editor of the WEEKLY REGISTER, from one of the most distinguished characters that this or any other country has produced, affords so fine a hint on the general concerns of life, and so *feelingly* applies to our own matters, that we record it with pleasure:

"Your indulgence has been infinitely beyond my desert in failing to make the remittance so justly due for your valuable repository of the Weekly Register. I know that the good rule is, *not to put off to to-morrow what you can do to-day*; but the practice is, too often *not to do to-day what you can put off to to-morrow*, and to this I am sometimes obliged to plead guilty."

## Maratime War.

In immediate consequence of the war, the *United States* and *Great Britain* have severally lost the *national* vessels, described below.

THE UNITED STATES HAVE LOST.

| NAMES OF VESSELS. | By capture. | By shipwreck. |
|---|---|---|
| | gun | gun |
| Frigate Chesapeake | 48 | |
| Ship Wasp | 20 | |
| Brig Nautilus | 16 | |
| Vixen | 16 | |
| Schr. Growler | 3 | |
| Julia | 1 | |
| Gun boat 123 | 1 | |
| Schr. Hamilton | | 9 |
| Scourge | | 9 |
| Brig Argus | 18 | |
| Sloop Growler (Champlain) | 10 | |
| Sloop Eagle (ditto) | 8 | |
| Total loss | 141 | 18 |

GREAT BRITAIN HAS LOST

| NAMES OF VESSELS. | By capture. | By shipwreck. |
|---|---|---|
| | gun | gun |
| Frigate Guerriere | 49 | |
| Macedonian | 49 | |
| Java | 48 | |
| Ship Alert | 26 | |
| Brig Duke of Gloucester | 10 | |
| Peacock | 22 | |
| Dominica | 16 | |
| Boxer | 18 | |
| Ship Detroit | 19 | |
| Queen Charlotte | 17 | |
| Schr. Lady Prevost | 13 | |
| Brig Hunter | 10 | |
| Sloop Little Belt | 3 | |
| Schr. Chippeway | 1 | |
| Highflyer | 3 | |
| Growler, retaken | 3 | |
| Julia, ditto | 1 | |
| Five gun boats | 5 | |
| 14 Packets, average 10 guns | 140 | |
| Frigate Southampton | | 46 |
| Woolwich, | | 44 |
| Barbadoes | | 36 |
| Brig Emulous | | 14 |
| Plumper | | 14 |
| Avenger | | 20 |
| Falcon | | 18 |
| Magnet | | 10 |
| Moselle | | 20 |
| Persian | | 20 |
| Schr. Chubb | | 10 |
| Subtle | | 10 |
| Brig Rhodian | | 20 |
| Bold | | 14 |
| Ship Laurestinus | | 28 |
| Schr. Varrable | | 14 |
| | 455 | 338 |

LOSS IN KILLED AND WOUNDED.

| | *American loss.* | *British loss.* |
|---|---|---|
| Essex and Alert, | 0 | 3 |
| Guerriere and Constitution, | 14 | 105 |
| Frolic and Wasp, | 10 | 80 |
| Macedonian and United States, | 12 | 104 |
| Java and Constitution, | 34 | 171 |
| Hornet and Peacock, | 5 | 42 |
| Shannon and Chesapeake, | 144 | 84 |
| Decatur and Dominica, | 16 | 62 |
| Boxer and Enterprize, | 13 | 39 |
| On lake *Erie* | 123 | 160 |
| | 371 | 810 |

| | | |
|---|---|---|
| British loss | *guns* | 703 |
| American ditto | *ditto* | 149 |
| *Difference* | | 634 |

The *whole* naval force of the United States, in service at the commencement of the war, exclusive of the gun boats, carried rather less than 450 guns—of which we lost, by captures, 141 guns, while we took from the enemy 455 guns. The vessels now *in commission* carry more than 800 guns, of which about 150 are on the lakes.

Speaking of the losses of the enemy, the *National Advocate* has the following remarks—

"No conflict in Europe has ever presented such a display in loss on the part of Great Britain; we can find nothing like it. In the war between France and Great Britain, in 1755, the loss up to the year 1760, is as follows:

| | *French.* | *British.* |
|---|---|---|
| Vessels taken, &c. | 83 | 9 |
| Lost, | 18 | 13 |
| Total, | 101 | 22 |
| Guns taken, &c. | 3436 | 216 |
| Lost, | 786 | 644 |
| Total, | 4222 | 860 |

## Household Articles.

The following, certainly not *important* at present, may *amuse* many some time hereafter. If such lists were published in all the

chief cities and towns of the United States, the contrast would be very interesting. These things belong to the *domestic* history of a country; and, though now despised for their familiarity, will, at a future day, be regarded with much attention by the curious observer of the progress of society.

*Retail prices current, Baltimore, November 15, 1813.*

| | | | From D. cts. | To D. cts. |
|---|---|---|---|---|
| *Bread Stuffs.* | "White wheat" flour, *per bbl.* 196 lbs. | | | 8 00 |
| | "Best superfine, "*family flour*" | *do.* | | 7 00 |
| | Superfine—*for shipping* | *do.* | | 6 25 |
| | Fine flour | *do.* | | 5 75 |
| | Middlings | *do.* | | 5 25 |
| | Rye meal | *do.* | | 5 50 |
| | Indian corn meal | *per cwt.* | | 2 25 |
| *Flesh.* | Beef, best and best pieces | *per lb.* | | 10 |
| | Veal ditto | *do.* | | 12 1-2 |
| | Mutton ditto | *do.* | | 7 |
| | Lamb ditto | *do.* | | 7 |
| | Pork ditto | *do.* | | 9 |
| | Bacon | *do.* | 15 | 16 |
| | ☞ The common quality of meats, as well as the coarse pieces, are from one-third to one-half less. | | | |
| *Poultry.* | A good turkey | | 1 25 | 1 75 |
| | ——goose | | 62 1-2 | 87 1-2 |
| | Wild ducks "canvas backs" | *per pair* | | 1 25 |
| | Ditto "red heads" | *do.* | 50 | 62 1-2 |
| | Other wild ducks | *do.* | 37 1-2 | 50 |
| | Tame ducks, good | *do.* | 50 | 75 |
| | Dunghill fowls, good | *do.* | 62 1-2 | 87 1-2 |
| *Vegetables.* | Potatoes | *bushel* | | 56 |
| | Ditto, *sweet* | *do.* | 100 | 1 50 |
| | Turnips | *do.* | | 50 |
| | Parsnips | *do.* | | 62 1-2 |
| | Cabbage (good) | *per piece* | | 8 |
| *Butter.* | Best fresh | *per lb.* | 37 1-2 | 50 |
| | ——good | *do.* | 31 | 37 1-2 |
| | ——firkin (best) | *do.* | 20 | 25 |
| *Cheese.* | Good | *do.* | 20 | 25 |
| *Groceries.* | Sugar—best brown | *do.* | 25 | 28 |
| | ——loaf | *do.* | | 40 |
| | Coffee | *do.* | 30 | 35 |
| | Tea—"young hyson" | *do.* | | 2 50 |
| | Wines and foreign liquors very high and various | | | |
| | Best 4th proof whiskey | *gal.* | | 1 12 1-2 |
| *Candles.* | Mould | *per lb.* | | 25 |
| | Dipt | *do.* | | 19 |
| | Soap, brown | *do.* | | 12 1-2 |
| *Wood.* | Oak | *per cord* | 6 00 | 7 00 |
| | Hickory | *do.* | 8 00 | 9 00 |

## ☞ To Independence.

*Cotton manufactures at Baltimore.*—There are now running in Baltimore, or rather in the city and its vicinity, about 9,000 spindles; 1500 or 2000 more go into operation before the first of January next, and from the works *already in great progress*, there will be about 20,000, in the whole, by the end of the ensuing year. *Three years ago we did not make a thread.*

These works, on the average, will require 3500lb. of cotton *per day*, to keep them a going; and reckoning 300 days in the year, will consume, *per annum*, 1,050,000 *lb.* of cotton, rather more than *one-eighth* of the *whole export* of that article from the United States in the year 1805; when trade, in general, was nearly at its height; though the cultivation of that commodity has greatly increased since then.

This cotton will make about one million lbs. of yarn, which sells for an average price of 70 cents, equal to $700,000 *per annum* for the cotton, in its first state of improvement.

But this yarn will be wove into three millions of yards of cloth, worth on the average 45 cents per yard, making a final value of $1,620,000 *per annum*.

So much for the "devoted city." Besides, the Union Manufacturing company will commence the *third* mill, as soon as the building of the *second* is done; and begin to count upon the *fourth*. They have seats for *sixteen* mills in the space of a few hundred yards, to be turned by the *Patapsco*. Other works by other companies are contemplated.

We have also many valuable manufactories in the neighborhood, the property of which is in citizens of *Baltimore*, as well as several in the city. We shall at this time only notice a machine at *Ellicott's* mills that *cuts* (please to observe, I do not say *will* cut, but *cuts*) *twelve hundred* nails in *one minute*, more perfect than any heretofore furnished.

From the facts that have come to my knowledge (and though I am very curious about such things, I am convinced that I am not fully informed) I venture to say, that the *domestic manufactures of cotton, wool, copper, brass, nails* and *glass*, (ONLY SIX ARTICLES) appertaining to *Baltimore*, will give an ultimate value of more than *two millions of dollars* for the year 1815, without taking into calculation any other than those works now in operation or actually finishing or erecting; wresting that mighty sum immediately from the enemies of the United States. And *much* is done in a *small way* in making many other goods that three years ago were received from *Great Britain*, to the amount of, perhaps, $150,000 a year.

Verily, verily, these things will provoke a "HOME INFLUENCE," and hasten the political mellenium when we shall regard all nations as enemies or as friends, as they may behave themselves to us. In addition to these more weighty considerations, we exultingly make the remark, that every person engaged in these manufactures is rapidly adding to his wealth.

## THE CHRONICLE.

Though the breed of *Merino* sheep is now very numerous in the United States, the great profits accruing on them, and the consequent desire of many to possess them, still keep them very high—68 full blooded ewes brought at New York, a few days ago, an average price of $127 98 each! the three fourth blooded ewes brought $26 28—the half blooded $10 50.

*Stephen H. Moore*, late captain of the *Baltimore Volunteers*, who lost his leg at *York*, WHERE PIKE WAS KILLED, has received, (without application on his behalf) from the President of the United States, the office of collector of the revenue for the city and county of Baltimore. This prompt attention of the administration to a faithful soldier, has a happy aspect.

*Hamburg* is represented to be in a deplorable state, by the re-occupation of the French, against whom that city had, in kingly phrase, rebelled. The contribution has been excessively severe, and thousands of the people have been compelled to labor on the fortifications. The place has not, however, been committed to general plunder, rape and conflagration, as *Cockburn* would have served *Baltimore* and *Norfolk*, and, indeed, as was desired in respect to the former, by some very *charitable* people of our own. Let us mete to all tyrants and villains by the same measure. Suppose *Bonaparte* had burned *Hamburg* as *Cockburn* burned *Havre-de-Grace*, what would we say of it? The extent of the calamity could not alter its principle.

*Amendment to the constitution proposed.*—The following amendment to the constitution of the United States is proposed by the legislature of *Tennessee*:

*Resolved by the general assembly of the state of Tennessee*, That our senators in congress be instructed, and our representatives requested to use their best endeavors to prevail upon congress to propose to the several states, for their adoption, an amendment to the constitution of the United States, so as to reduce the term of service of the senators in congress *from six to that of four years*, from the time they enter upon the duties of their appointments.

*Resolved*, That the governor of this state be required to transmit to the executives of the different

states, a copy of the resolution passed this general assembly relative to reducing the term of service of senators in congress from six to four years, with a request that the same be laid before the legislatures of their different states for their consideration.

There have been two riots in two of the eastern cities, which if they had happened in *Baltimore*, would have filled a thousand volumes in the newspapers.

## American Prizes.

WEEKLY LIST—CONTINUED FROM PAGE 187.

"The winds and seas are Britain's wide domain,
"And not a sail, but by *permission* spreads!"
*British Naval Register.*

695, 796. Two ships from Archangel, captured by the Scourge of New York, and sent into Dorntheim, Norway.

697. Schooner Katy, with a cargo of wine, dry goods, &c. sent into New Bedford, by the Yankee.

☞The valuable prize of the *Yankee*, see last prize list, has been recaptured by the Ramilies, and sent to Halifax—as have also the barque of 10 guns, and the brig Telemachus. The Yankee, however, was as full of their most valuable goods as she could swim.

698. An *American* schooner, from one of the Eastern ports, laden with 700 barrels of flour, bound for *Halifax*, sent into New Bedford, by the Water Witch of Bristol, R. I.

The Shannon, a prize to the President frigate, has been re-captured.

The London papers give a doleful account of the proceedings of an American privateer off the mouth of the Tagus, [Portugal.] They report that she had captured *thirty-two* British vessels, many of them richly laden.

## Salem Privateers.

*From the Essex Register.*

We have obtained from a correct source the following statement of the privateers belonging to this port which have been captured or lost since the war, with their actual cost. The *number* of privateers captured, as well as their value, is greatly overated in the Gazette.

*A correct list of privateers from this port, captured by the British, with their value.*

| | | | |
|---|---|---|---|
| Schr. Fair Trader, | Capt. Morgan, | 1 gun | $2,000 |
| Regulator, | Mansfield, | 1 | 4,500 |
| Active, | Patterson, | 2 | 2,000 |
| Dolphin, | Endicott, | 3 | 6,000 |
| Buckskin, | Bray, | 1 | 4,000 |
| Revenge, | Sinclair, | 3 | 5,500 |
| Ship John, | Fairfield, | 16 | 20,000 |
| Schr. Enterprize, | Morgan, | 4 | 24,000 |
| Brig Montgomery, | Strout, | 12 | 24,000 |
| Ship Alexander, partly owned in Salem | | 16 | 18,000 |
| Schr. Cossack, | Upton, | 1 | 5,000 |
| Boat Owl, | Duncan, | 0 | 600 |
| Sloop Wasp, | Erving, | 2 | 3,000 |
| Schr. Growler, | Lindsay, | 5 | 16,000 |
| *Parts of privateers owned in Salem which sailed from different ports, not included in the above, say,* | | | 25,000 |
| Privateers lost away and lost, | | | |
| Schr. Dart, | Davis, | 2 | 2,000 |
| Gallinipper, | Wellman, | 2 | 2,500 |
| | | | $ 164,100 |

Sales of prizes brought into Salem to this date, amount to Dolls. 675,695 93

## POSTSCRIPT.

We have at length some accounts from the Northern armies, that appear worthy of reliance. The New-York *National Advocate* mentions the receipt of a letter by the secretary at war (at Albany) from general *Hampton*, dated at *Plattsburg* on the 12th, which positively says he should join *Wilkinson* at MONTREAL, in two days, or sooner. The *Albany Argus* of the 16th, says that *Wilkinson* passed *Prescott* (about 80 miles below *Kingston*) on the night of the 6th inst. with the loss of 2 killed and 3 wounded.—He crossed into *Canada*, at *Hamilton*, (say 30 miles lower down) on the 8th, without opposition. The plan of the campaign is now fully developed, and we hope has effected all that we expected this season. The skirmish between *Hampton* and sir *George Prevost*, so *foolishly* spoken of in the "general order" of the latter [see page 202,] was exactly what we have represented it to be; a something to divert the enemy. Our killed, wounded and missing in the affray was only 33; though from certain papers of *Boston*, it would have appeared, that sir *George* with his 300 had actually *devoured* the 8000 of *Hampton*, hardly suffering a "*remnant to be saved.*" The united forces of *Wilkinson* and *Hampton*, who must have joined to act in concert on or before the 15th instant, would amount to about 15,000 men. Sufficient to beat sir *George*, and intercept the whole enemy force in the upper country. The British force near *Montreal* is stated to be 6 or 7000, regulars and militia.

"The cause of the army passing Prescott with so trivial a loss, (says the *Argus*) is stated to have been the following expedient adopted by the general: the old and damaged boats were collected, and in the early part of the night sent down the river with a bare sufficiency of men to conduct them; the enemy, mistaking them for the army, commenced a tremendous cannonade, and continued it till towards morning, when their fire ceased, and the troops passed down in safety."

☞ A late *London* paper contains a regular account of the capture of the *Macedonian* frigate by the *Tenedos*; and states that we had 127 killed and wounded, but that the British loss was trifling!!

After announcing the *victory*, the same paper has the following paragraph—

"*Division of the United States.*—In addition to the above gratifying intelligence, we learn that the *eastern states* of America have, in the most unanimous manner, expressed their determination of seceding from their allegiance, unless the government make peace with England."

ALEXANDRIA, November 1.

*Fire!*—We are sorry to state that on Friday night last, the draw house, belonging to the Washington Bridge, together with about two hundred feet of the bridge, was consumed by fire. This will occasion a very serious interruption to the travellers and waggons, of which there are a vast number daily passing north and south. The bridge we hope and expect it will speedily be refitted; as it has, since the war, made a handsome interest to the stockholders, besides creating a large *surplus* fund which the directors have prudently husbanded for exigencies.

The want of room, to get in as we wish, all the matter that presents itself for insertion, has induced the editor to resolve on an important proposal to be submitted to his readers next week.

# THE WEEKLY REGISTER.

No. 14 of vol. V.] BALTIMORE, SATURDAY, December 4, 1813. [whole no. 118.

*Hæc olim meminisse juvabit.*—Virgil.

Printed and published by H. Niles, South-st. next door to the Merchants' Coffee House, at $ 5 *per annum.*

[concluded from page 224]

COTTON. There is something in the texture of this material, which adapts it in a peculiar degree to the application of machines.

The singular utility of the mill for spinning of cotton, not long since invented in England, has been noticed in another place: but there are other machines scarcely inferior in utility, which, in the different manufactures of this article, are employed either exclusivly or with more than ordinary effect. This very important circumstance recommends the fabrics of cotton, in a more particular manner, to a country in which a defect of hands constitutes the greatest obstacle to success.

The variety and extent of the uses to which the manufactures of this article are applicable, is another powerful argument in their favor.

And the faculty of the United States to produce the raw material in abundance, and of a quality, which, though alleged to be inferior to some that is produced in other quarters, is nevertheless capable of being used with advantage in many fabrics, and is probably susceptible of being carried, by a more experienced culture, to much greater perfection, suggests an additional and a very cogent inducement to the vigorous pursuit of the cotton branch, in its several subdivisions.

How much has been already done, has been stated in a preceding part of this report.

In addition to this it may be announced, that a society is forming, with a capital which is expected to be extended to at least half a million of dollars; on behalf of which measures are already in train for prosecuting, on a large scale, the making and printing of cotton goods.

These circumstances conspire to indicate the expediency of removing any obstructions, which may happen to exist, to the advantageous prosecution of the manufactories in question, and of adding such encouragements as may appear necessary and proper.

The present duty of three cents per pound, on the foreign raw material, is undoubtedly a very serious impediment to the progress of those manufacturers.

The injurious tendency of similar duties, either prior to the establishment, or in the infancy of the domestic manufacture of the article, as it regards the manufacture, and their worse than inutility in relation to the home production of the material itself, have been anticipated, particularly in discussing the subject of pecuniary bounties.

Cotton has not the same pretensions with hemp, to form an exception to the general rule.

Not being, like hemp, an universal production of the country, it affords less assurance of an adequate internal supply; but the chief objection arises from the doubts, which are entertained concerning the quality of the national cotton. It is alleged, that the fibre of it is considerably shorter and weaker, than that of some other places; and it has been observed, as a general rule, that the nearer the place of growth to the equator, the better the quality of the cotton. That which comes from Cayenne, Surinam, and Demarara, is said to be preferable, even at a material difference of price, to the cotton of the islands.

While a hope may reasonably be indulged, that, with due care and attention, the national cotton may be made to approach nearer than it now does to that of regions somewhat more favored by climate, and while facts authorise an opinion, that very great use may be made of it, and that it is a resource which gives greater security to the cotton fabrics of this country, than can be enjoyed by any which depends wholly on external supply, it will certainly be wise in every view, to let our infant manufactures have the full benefit of the best materials, on the cheapest terms. It is obvious, that the necessity of having such materials, is proportioned to the unskilfulness and inexperience of the workmen employed, who, if inexpert, will not fail to commit great waste, where the materials they are to work with, are of an indifferent kind.

To secure to the national manufacturers so essential an advantage, a repeal of the present duty on imported cotton is indispensable.

A substitute for this, far more encouraging to domestic production, will be to grant a bounty on the national cotton, when wrought at a home manufactory: to which a bounty on the exportation of it may be added. Either or both would do much more towards promoting the growth of the article, than the merely nominal encouragement, which it is proposed to abolish. The first would also have a direct influence in encouraging the manufacture.

The bounty, which has been mentioned, as existing in Great Britain, upon the exportation of coarse linens, not exceeding a certain value, applies also to certain descriptions of cotton goods of similar value.

This furnishes an additional argument for allowing to the national manufacturers the species of encouragement just suggested, and indeed for adding some other aid.

One cent per yard, not less than of a given width, on all goods of cotton, or of cotton and linen mixed, which are manufactured in the United States, with the addition of one cent per pound weight of the material, if made of national cotton, would amount to an aid of considerable importance, both to the production, and to the manufacture of that valuable article. And it is conceived that the expense would be well justified by the magnitude of the object.

The printing and staining of cotton goods is known to be a distinct business from the fabrication of them. It is one easily accomplished, and which, as it adds materially to the value of the article in its white state, and prepares it for a variety of new uses, is of importance to be promoted.

As imported cottons, equally with those which are made at home, may be the objects of this manufacture, it will merit consideration, whether the whole, or a part of the duty, on the white goods, ought not to be allowed to be drawn back, in favor of those, who print or stain them. This measure would certainly operate as a powerful encouragement to the business; and, though it may in a degree counteract the original fabrication of the articles, it would probably more than compensate for this disadvantage, in the rapid growth of a collateral branch, which is of a nature sooner to attain to maturity.

When a sufficient progress shall have been made, the drawback may be abrogated, and by that time the domestic supply of the articles to be printed or stained will have been extended.

If the duty of seven and a half per cent. on certain kinds of cotton goods were extended to all goods of cotton, or of which it is the principal material, it would probably more than counterbalance the effect of the drawback proposed, in relation to the fabrication of the article. And no material objection occurs to such an extension. The duty, then, considering all the circumstances which attend goods of this description, could not be deemed inconveniently high; and it may be inferred from various causes, that the prices of them would still continue moderate.

Manufactories of cotton goods, not long since established at Beverly, in Massachusetts, and at Providence, in the state of Rhode Island, and conducted with a perseverance corresponding with the patriotic motives which began them, seem to have overcome the first obstacles to success; producing corduroys, velverets, fustains, jeans, and other similar articles, of a quality, which will bear a comparison with the like articles brought from Manchester. The one at Providence has the merit of being the first in introducing into the United States, the celebrated cotton mill; which not only furnishes materials for that manufactory itself, but for the supply of private families for household manufacture.

Other manufactories of the same material, as regular businesses, have also been begun at different places in the state of Connecticut, but all upon a smaller scale than those above mentioned. Some essays are also making in the printing and staining of cotton goods. There are several small establishments of this kind already on foot.

WOOL. In a country the climate of which partakes of so considerable a proportion of winter, as that of a great part of the United States, the woollen branch cannot be regarded as inferior to any, which relates to the clothing of the inhabitants.

Household manufactures of this material are carried on, in different parts of the United States, to a very interesting extent: but there is only one branch, which, as a regular business, can be said to have acquired maturity. This is the making of hats.

Hats of wool, and of wool mixed with fur, are made in large quantities, in different states; and nothing seems wanting, but an adequate supply of materials, to render the manufacture commensurate with the demand.

A promising essay, towards the fabrication of cloths, cassimers, and other woollen goods, is likewise going on at Hartford, in Connecticut. Specimens of the different kinds which are made, in the possession of the secretary, evince that these fabrics have attained a very considerable degree of perfection. Their quality certainly surpasses any thing, that could have been looked for, in so short a time, and under so great disadvantages; and conspires with the scantiness of the means, which have been at the command of the directors, to form the eulogium of that public spirit, perseverance, and judgment, which have been able to accomplish so much.

To cherish and bring to maturity this precious embryo must engage the most ardent wishes, and proportionable regret, as far as the means of doing it may appear difficult or uncertain.

Measures, which should tend to promote an abundant supply of wool, of good quality, would probably afford the most efficacious aid, that present circumstances permit.

To encourage the raising and improving the breed of sheep at home, would certainly be the most desirable expedient, for that purpose; but it may not be alone sufficient, especially as it is yet a problem, whether our wool be capable of such a degree of improvement, as to render it fit for the finer fabrics. Premiums would probably be found the best means of promoting the domestic, and bounties the foreign supply: the first may be within the compass of the institution hereafter to be submitted. The last would require a specific legislative provision. If any bounties are granted, they ought, of course, to be adjusted with an eye to quality as well as quantity.

A fund for this purpose may be derived from the addition of two and a half per cent. to the present rate of duty, on carpets and carpeting; an increase, to which the nature of the articles suggests no objection, and which may, at the same time, furnish a motive the more, to the fabrication of them at home; towards which some beginnings have been made.

SILK. The production of this article is attended with great facility in most parts of the United States. Some pleasing essays are making in Connecticut, as well towards that, as towards the manufacture of what is produced. Stockings, handkerchiefs, ribands and buttons, are made, though as yet but in small quantities.

A manufactory of lace, upon a scale not very extensive, has been long memorable at Ipswich, in the state of Massachusetts.

An exemption of the material from the duty, which it now pays on importation, and premiums upon the production, to be dispensed under the direction of the institution before alluded to, seem to be the only species of encouragement advisable at so early a stage of the thing.

GLASS. The materials for making glass are found every where. In the United States, there is no deficiency of them. The sands and stones called tarso, which include flinty and crystaline substances generally, and the salts of various plants, particularly of the sea weed kali or kelp, constitute the essential ingredients. An extraordinary abundance of fuel is a particular advantage enjoyed in this country for such manufactures. They however require large capitals and involve much manual labor.

Different manufactories of glass are now on foot in the United States. The present duty of 12 1-2 per cent. on all imported articles of glass, amounts to a considerable encouragement to those manufactories. If any thing in addition is judged eligible, the most proper would appear to be a direct bounty, on window glass and black bottles.

The first recommends itself as an object of general convenience; the last adds to that character, the circumstance of being an important item in breweries. A complaint is made of great deficiency in this respect.

GUN-POWDER. No small progress has been of late made in the manufacture of this very important article: it may, indeed, be considered as already established; but its high importance renders its further extension very desirable.

The encouragements, which it already enjoys, are a duty of ten per cent. on the foreign rival article and an exemption of saltpetre, one of the principal ingredients of which it is composed, from duty. A like exemption of sulphur, another chief ingredient would appear to be equally proper. No quantity of this article has yet been produced from internal sources. The use made of it in finishing the bottom of ships, is an additional inducement to placing it in the class of free goods. Regulations for the careful inspection of the article would have a favorable tendency.

PAPER. Manufactories of paper are among those

which are arrived at the greatest maturity in the United States, and are most adequate to national supply. That of paper hangings is a branch, in which respectable progress has been made.

Nothing material seems wanting to the further success of this valuable branch, which is already protected by a competent duty on similar imported articles.

In the enumeration of the several kinds, made subject to that duty, sheathing and cartridge paper have been omitted. These, being the most simple manufactures of the sort, and necessary to military supply, as well as ship building, recommend themselves equally with those of other descriptions, to encouragement, and appear to be as fully within the compass of domestic exertions.

PRINTED BOOKS. The great number of presses disseminated throughout the union, seems to afford an assurance, that there is no need of being indebted to foreign countries for the printing of the books which are used in the United States. A duty of ten per cent. instead of five, which is now charged upon the article, would have a tendency to aid the business internally.

It occurs, as an objection to this, that it may have an unfavorable aspect towards literature, by raising the prices of books in universal use, in private families, schools, and other seminaries of learning. But the difference, it is conceived, would be without effect.

As to books which usually fill the libraries of the wealthier classes, and of professional men, such an augmentation of prices, as might be occasioned by an additional duty of five per cent. would be too little felt to be an impediment to the acquisition.

And with regard to books which may be specially imported for the use of particular seminaries of learning, and of public libraries, a total exemption from duty would be advisable, which would go far towards obviating the objection just mentioned. They are now subject to a duty of five per cent.

As to the books in most general family use, the constancy and universality of the demand would insure exertions to furnish them at home; and the means are completely adequate. It may also be expected ultimately, in this, as in other cases, that the extension of the domestic manufacture would conduce to the cheapness of the article.

It ought not to pass unremarked, that to encourage the printing of books is to encourage the manufacture of paper.

REFINED SUGARS AND CHOCOLATE are among the number of extensive and prosperous domestic manufactures.

Drawbacks of the duties upon the materials, of which they are respectively made, in cases of exportation, would have a beneficial influence upon the manufacture, and would conform to a precedent, which has been already furnished in the instance of molasses, on the exportation of distilled spirits.

Cocoa, the raw material, now pays a duty of one cent per lb. while chocolate, which is a prevailing and very simple manufacture, is comprised in the mass of articles rated at no more than five per cent.

There would appear to be a propriety in encouraging the manufacture, by a somewhat higher duty, on its foreign rival, than is paid on the raw material. Two cents per lb. on imported chocolate would, it is presumed, be without inconvenience.

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The foregoing heads comprise the most important of the several kinds of manufactures, which have occurred as requiring, and, at the same time, as most proper for public encouragement: and such measures for affording it, as have appeared best calculated to answer the end, have been suggested.

The observations, which have accompanied this delineation of objects, supercede the necessity of many supplementary remarks. One or two, however, may not be altogether superfluous.

Bounties are, in various instances, proposed as one species of encouragement.

It is a familiar objection to them that they are difficult to be managed, and liable to frauds. But neither that difficulty, nor this danger, seems sufficiently great to countervail the advantages of which they are productive, when rightly applied. And it is presumed to have been shewn, that they are in some cases, particularly in the infancy of new enterprises, indispensable.

It will, however, be necessary to guard, with extraordinary circumspection, the manner of dispensing them. The requisite precautions have been thought of: but to enter into the detail would swell this report, already voluminous, to a size too inconvenient.

If the principle shall not be deemed inadmissible, the means of avoiding an abuse of it will not be likely to present insurmountable obstacles. There are useful guides from practice in other quarters.

It shall, therefore, only be remarked here, in relation to this point, that any bounty, which may be applied to the manufacture of an article, cannot with safety extend beyond those manufactories, at which the making of the article is a regular trade. It would be impossible to annex adequate precautions to a benefit of that nature, if extended to every private family, in which the manufacture was incidentally carried on; and its being a merely incidental occupation which engages a portion of time, that would otherwise be lost, it can be advantageously carried on, without so special an aid.

The possibility of a diminution of the revenue, may also present itself as an objection to the arrangements, which have been submitted.

But there is no truth, which may be more firmly relied upon, than that the interests of the revenue are promoted by whatever promotes an increase of national industry and wealth.

In proportion to the degree of these, is the capacity of every country to contribute to the public treasury; and where the capacity to pay is increased, or even is not decreased, the only consequence of measures, which diminish any particular resource, is a change of the object. If, by encouraging the manufacture of an article at home, the revenue, which has been wont to accrue from its importation, should be lessened, an indemnification can easily be found, either out of the manufacture itself, or from some other object, which may be deemed more convenient.

The measures, however, which have been submitted, taken aggregately, will, for a long time to come, rather augment than decrease the public revenue.

There is little room to hope, that the progress of manufactures will so equally keep pace with the progress of population, as to prevent even a gradual augmentation of the product of the duties on imported articles.

As, nevertheless, an abolition in some instances, and a reduction, in others, of duties, which have been pledged for the public debt, is proposed, it is essential that it should be accompanied with a competent substitute. In order to this, it is requisite, that all additional duties which shall be laid, be appropriated, in the first instance, to replace all defalcations, which may proceed from any such abolition or diminution. It is evident, at first glance, that they will not only be adequate to this, but will yield a considerable surplus. This surplus will serve,

First. To constitute a fund for paying the bounties which shall have been decreed.

Secondly. To constitute a fund for the operations of a board to be established for promoting arts, agriculture, manufactures, and commerce. Of this institution, different intimations have been given, in the course of this report. An outline of a plan for it shall now be submitted.

Let a certain annual sum be set apart, and placed under the management of commissioners not less than three, to consist of certain officers of the government and their successors in office.

Let these commissioners be empowered to apply the fund confided to them, to defray the expenses of the emigration of artists, and manufacturers in particular branches, of extraordinary importance—to induce the prosecution and introduction of useful discoveries, inventions, and improvements, by proportionate rewards, judiciously held out and applied—to encourage by premiums, both honorable and lucrative, the exertions of individuals, and of classes, in relation to the several objects, they are charged with promoting—and to afford such other aids to those objects, as may be generally designated by law.

The commissioners to render to the legislature an annual account of the transactions and disbursements; and all such sums as shall not have been applied to the purposes of their trust, at the end every three years, to revert to the treasury. It also be enjoined upon them, not to draw to money, but for the purpose of some s their bursement. cts for

It may, moreover, be of use, to au shall have receive voluntary contributions; duty to apply them to the pe progress of which they may have been much retarded by been designated by the don it often happens,

There is reason to bebt equal to the purparticular manufactured workmen of a supethe want of skilful orthy of it, the auxiliary that the capitals could, in all probability, be poses of bring valuable workmen, in every rior kind. H vented from emigrating solely agency of ns. Occasional aids to such peruseful. dministered, might be a source of branc sitions to the country.

by ety of stimulating, by rewards, the in- introduction of useful improvements, is without difficulty. But the success of at- n this way must evidently depend much on anner of conducting them. It is probable, he placing of the dispensation of those re- s under some proper discretionary direction, re they may be accompanied by collateral expe- nts, will serve to give them the surest efficacy.— seems impracticable to apportion, by general rules, of specific compensations for discoveries unknown, and disproportionate utility.

The great use, which may be made of a fund of this nature, to procure and import foreign improvements, is particularly obvious. Among these, the article of machines would form a most important item.

The operation and utility of premiums have been adverted to—together with the advantages which have resulted from their dispensation, under the direction of certain public and private societies. Of this, some experience has been had in the instance of the Pennsylvania society, for the promotion of manufactures and the useful arts: but the funds of that association have been too contracted to produce more than a very small portion of the good to which the principles of it would have led. It may confidently be affirmed, that there is scarcely any thing, which has been devised, better calculated to excite a general spirit of improvement, than the institutions of this nature. They are truly invaluable.

In countries, where there is great private wea much may be effected by the voluntary con tions of patriotic individuals; but in a conce situated like that of the United States, a im- purse must supply the deficiency of priv In what can it be so useful, as in pro proving the efforts of industry? TON,

All which is humbly subm *the treasury.*

ALEXANDE

## Laws,

*sion of Congress.*

The W consequence, we have in- provisions for laying a direct

*Passed at* ls, and a tax on certain pro-

As being of e other taxes are upon *carriages*, serted, at l , on *retailers*, on *sales at auction*, and tax, a t

missor *age tax* operates only on carriages kept on onveyance of persons, as follows:

| | |
|---|---|
| ry coach the yearly sum of | $20 |
| every chariot or post chaise | 17 |
| n every phæton or coach pannelled above | 10 |
| On every other four wheel carriage hanging on steel, or iron springs | 7 |
| On every four wheel carriage hanging on wooden springs—or two wheel carriage on steel or iron springs | 4 |
| And upon every other four or two wheel carriage | 2 |

*On refined sugar*, the duty is 4 cents per pound.

*On Retailers.*—This tax levies the following annual duties on retail dealers, and if in a town containing more than one hundred families the following are the rates:

| | |
|---|---|
| On retailers of merchandize, wines and spirits | $25 |
| Of wines alone | 20 |
| Of spirits alone | 20 |
| Of domestic spirits alone | 15 |
| Of merchandize other than wines and spirits | 15 |

If in any other place, other than a town of that size.

| | |
|---|---|
| On retailers of merchandize with wines and spirits | $15 |
| Of wines and spirits alone | 15 |
| Of Spirits alone | 12 |
| *Of domestic spirits alone | 10 |
| Of merchandize other than wines and spirits | 10 |

*On sales by auction, of merchandize, and ships or vessels.* This tax levies a duty on said articles of 25 cents on every $100 of the purchase money, with the following *proviso*—That nothing in this act contained shall extend to any sale or sales by auction of goods, wares and merchandize, made pursuant to or in execution of any rule, order, decree, sentence or judgment of any court of the United States or either of them, or made in virtue or by force of any distress for rent, or other cause for which a distress is allowed by law; or made in consequence of any bankruptcy or insolvency, pursuant to any law concerning bankruptcies or insolvencies; or made in consequence of any general assignment of property, and effects for the benefit of creditors; or made by

* Distillers, however, having a distiller's licence may sell liquor at their own distillery and of their own distilling without a retailer's license, provided they do not retail less than five gallons at a time.

or on behalf of executors or administrators; or made pursuant to the directions of any law of the United States, or either of them, touching the collection of any tax or duty; or disposal by auction of public property of the United States or of any state; nor to any such sale or sales by auction of ships, their tackel, apparel and furniture, or the cargoes thereof, which shall be wrecked or stranded within the United States, and sold for the benefit of the insurers or proprietors thereof.

*On salt*, a duty of 20 cents per bushel is imposed, the bushel esteemed 56 lbs—and a bounty allowed on pickled fish exported.

All the above acts are to commence their operation on the first of January next, and to continue in force for and during the present war in which we are engaged, and for one year thereafter and no longer.

☞The duties on goods imported were also doubled.

## Captain Jesse D Elliot.

From the well known character of captain *Elliot* of the *Niagara*, commodore *Perry's* able second in the battle on lake *Erie* (and of whom the gallant commodore so emphatically speaks in his official letter to the navy department,) we passed over with contempt certain anonymous insinuations as the mere overflowings of the spleen of some creature that envied a reputation he had not the courage to aspire to for himself. But as captain *Elliot* has seen proper to notice these things, we further his view by recording the following:

*From the Northern Centinel.*—In a number of papers has been published a letter from an officer of the Lawrence, and another from a volunteer on board that vessel, stating that the Niagara had not taken an active part in the action of the 10th September. To the ignorance of the latter, we may naturally impute his uncandid and false statement. The former, we fear, will not escape so easily. We cannot but condemn the conduct of editors who, upon such slight proof, have endavored to destroy the reputation of a brave and deserving officer, who has, in more than one instance, rendered the most signal services to his country. It is with pleasure we publish the following statement and documents, believing that they will put the enemies of captain *Elliot* to the blush, and place his conduct in its true light.

*To the editor.*—Sir, Some persons, actuated by base and unworthy motives, have falsely and maliciously caused the public opinion to be unfavorably impressed with the conduct of captain Elliot, in the Niagara, on the 10th September. I believe there are many who entertain the erroneous opinion, that the Niagara rendered no assistance to the Lawrence. Th subjoined notes of captains *Perry* and Elliot, I hope will remove these impressions; and I can, from my own knowledge, declare captain Elliot's conduct to have been such as merits the applause of his country. His brave and gallant conduct was signal to all on board the Niagara, and, in my opinion, could not have been surpassed. He remarked to me repeatedly in the action, that we were not as close alongside the enemy as he wished; that we left their long guns too much superiority; and that he was certain, if close alongside the Queen Charlotte, ten minutes would determine the action in our favor.

From a few minutes after the commencement of the action, the enemy being formed very close in a line ahead, their shot came over us in every direction, and repeatedly hulled us, our position being preserved as I believe the line was intended to be formed. During the action, the Caledonia was so close ahead of us, that we were obliged frequently to keep the main-yard braced sharp aback, to avoid going foul of her. Finding the Queen Charlotte to make sail ahead from our fire, as was supposed, captain Elliot hailed the Caledonia and ordered her helm put up, which was done, and the Niagara passed ahead by filling the main-topsail, and setting the jib and fore and aft mainsails. The Niagara then closed in the wake of the Lawrence, and continued the action with the usual vigor until the Lawrence dropped astern; when, it is well known, that almost instantly the Niagara became abreast of the Detroit and Queen Charlotte, which could not have been the case, had she been a long distance astern.

I feel it my duty also to observe, that the Lawrence, until near the close of the engagement, bore a greater proportion of the fire of the Detroit and Queen Charlotte, and from the Detroit's long guns, which pierced her through, she suffered considerably more in every respect than the Niagara.

Captain Elliot volunteering to bring into close action all our small vessels, which was nobly and heroically executed, aided by the exertions of their commanders, produced the brilliant victory which warms with just pride, the bosom of every American.

HUMPHREY MAGRATH.

*U. S. brig Niagara, Put-in-Bay, September 18.*

SIR—I am informed a report has been circulated, by some malicious person, prejudicial to my vessel, when engaged with the enemy's fleet. I will thank you, if you will, with candor, state to me the conduct of myself, officers and crew.

Respectfully, your obedient servant,

JESSE D. ELLIOT.

*U. S. schooner Ariel, Put-in-Bay, September 18.*

My dear Sir—I received your note last evening, after I had turned in or should have answered it immediately. I am indignant that any report should be circulated prejudicial to your character, as respects the action of the 10th instant. It affords me great pleasure, that I have it my power to assure you, that the conduct of yourself, officers and crew, was such as to meet my warmest approbation. And I consider the circumstance of your volunteering, and bringing the small vessels into close action, as contributing largely to our victory. I shall ever believe it a premeditated plan to destroy our commanding vessel. I have no doubt, had not the Queen Charlotte have ran from the Niagara, from the superior order I observed her in, you would have taken her in twenty minutes.

With sentiments of esteem, I am, dear sir, your friend and obedient servant,

O. H. PERRY.

*Captain Elliot.*

## Governor Shelby,

Of Kentucky, lately in *Canada* at the head of his gallant sons, it will be recollected had a sword awarded to him by the legislature of *North Carolina*, many years ago, which was happily presented to the venerable warrior just before he set out on his expedition. The following correspondence passed on the occasion—

*Executive office, N. C. Raleigh, July 17.*

Sir—In compliance with a resolution of the general assembly of this state, passed at their late session, I have the honor of tendering you the SWORD which this letter accompanies, as a testimony of the distinguished claim you have on the gratitude of the state, for your gallantry in achieving, with your brothers in arms, the glorious victory over the British forces commanded by colonel Ferguson, at the battle of King's Mountain on the memorable 7th of October, 1780.

This tribute of respect, though bestowed at a protracted period, will not be considered the less honorable on that account, when you are informed that it is in unison with a resolution of the general assembly passed in the year 1781, which, from some cause not well ascertained, it is to be regretted, was not complied with.

Permit me, sir, to make you an expression of the high gratification felt by me at being made the favored instrument to present to you in the name of the state of North Carolina, this testimonial of gratitude—this meed of valor; and to remark, that contending as we are at the present time, with the same foe, for our just rights, the pleasing hope may be entertained, that the valorous deeds of the heroes of our revolution will animate the soldier of the existing war, and nerve his arm in laudable emulation to like achievements.

I beg you to accept an assurance of the great consideration and respect, with which I have the honor to be, sir, your obedient servant,

WILLIAM HAWKINS.

His excellency, Isaac Shelby,
Governor of Kentucky.

*Government-House, Frankfort, Ken. August 26th, 1813.*

SIR—On the 23d inst. I had the honor of receiving your letter of the 17th ult. tendering to me a sword, which accompanied it, bestowed by North Carolina as a testimony of the flattering sentiments which she entertained in relation to my conduct in the affair of the 7th of October, 1780, on King's Mountain.

Engaged as my beloved contry then was in a struggle for every thing that was dear to man, she had a right to expect the zealous exertions of her citizens in her behalf. Devoted to the cause of my country, impelled by a high sense of the obligations I owed her, and by an utter aversion to the tyranny which was endeavoring to oppress her, I freely participated in those exertions which led to, and that conflict which terminated so favorably to our arms, and evidently gave a favorable turn to the revolutionary war, and in relation to which the legislature of North Carolina have been pleased to express themselves in a manner the most flattering to my feelings.

If the free-born sons of America wanted a stimulus to draw them forth in defence of her rights, other than a conviction that upon their exertions depended the continuance of those rights, it might be found in the heart-felt satisfaction derived from the consolation of having merited and received the applause of a grateful country for the toils and dangers encountered in her behalf.

Having lived ten years of the happiest part of my life in North-Carolina, and having received repeated marks of the partiality of my fellow-citizens in that government, during my residence amongst them, I have ever entertained the warmest feelings of fraternal affection, and good will for them. And I now accept, with veneration and respect, this honorable pledge of a continuance of their affection.

With considerations of high respect and esteem, I have the honor to be most respectfully,

Your obedient servant,

ISAAC SHELBY.

*His excellency, William Hawkins,*
*Governor of N. Carolina.*

## Vermont Militia.

Brigadier general Jacob Davis, who was charged with his excellency governor Chittenden's proclamation, immediately repaired to the army for the purpose of executing his orders. We learn that after making his errand known, he was arrested and taken as a prisoner to Plattsburgh.

*Cantonment, Plattsburgh, Nov.* 15, 1813.

*To his excellency Martin Chittenden, esq. governor, captain-general and commander in chief, in and over the state of Vermont.*

SIR—A most novel and extraordinary proclamation from your excellency, "ordering and directing such portion of the militia of the third brigade in the third division of the militia of Vermont, now doing duty in the state of New-York, both officers and men, forthwith to return to the respective places of their residence," has just been communicated to the undersigned officers of said brigade. A measure so unexampled, requires we should state to your excellency, the reasons which induce us absolutely and positively to refuse obedience to the order contained in your excellency's proclamation. With due deference to your excellency's opinion, we humbly conceive, that when we are ordered into the service of the United States, it becomes our duty, when required, to march to the defence of any section of the union. We are not of that class who believe that our duties as citizens or soldiers are circumscribed within the narrow limits of the town or state in which we reside; but that we are under a paramount obligation to our common country, to the great confederacy of states. We further conceive that while we are in actual service, and during the period for which we were ordered into service, your excellency's power over us, as governor of the state of Vermont, is suspended.

If it is true, as your excellency states, that "we are out of the jurisdiction or control of the executive of Vermont," we would ask from whence your excellency derives the right, or presumes to exercise the power of ordering us to return from the service in which we are now engaged? If we were legally ordered into the service of the United States, your excellency must be sensible that you have no authority to order us out of that service. If we were illegally ordered into the service, our continuance in it, is either voluntary or compulsory. If voluntary, it gives no one a right to remonstrate or complain; if compulsory, we can appeal to the laws of our country for redress against those who illegally restrain us of our liberty. In either case, we cannot perceive the right your excellency has to interfere in the business. Viewing the subject in this light, we conceive it our duty to declare unequivocally to your excellency, that we shall not obey your excellency's order for returning; but shall continue in the service of our country until legally and honorably discharged. An invitation or order to desert the standard of our country will never be obeyed by us, although it proceeds from the governor and captain general of Vermont.

Perhaps it is proper, that we should content ourselves with merely giving your excellency the reasons which prevailed upon us to disregard your proclamation; but we are impressed with the belief, that our duty to ourselves, to the soldiers under our command, and to the public, require that we should expose to the world, the motives which were intended to be produced, and objects to be accomplished by such an extraordinary proclamation.—We shall take the liberty to state to your excellency plainly, our sentiments on this subject.—We consider your proclamation as a gross insult to the officers and soldiers in service; inasmuch as it implies that they are so ignorant of their rights as to believe you have authority to command them in their present situation, or so abandoned as to follow your insiduous advice. We cannot regard your proclamation in any other light than as an unwarrantable stretch of executive authority, issued from the worst of motives, to effect the basest purposes. It is in our opinion, a renewed instance of that spirit of disorganization and anarchy which is carried on by a faction, to overwhelm our country with ruin and disgrace. We cannot perceive what other object your excellency could have in view than to embarrass the operations of the army, to excite mutiny and sedition among the soldiers, and to induce them to desert, that they might forfeit the wages to which they are entitled for their patriotic services.

We have however the satisfaction to inform your excellency, that although your proclamations have been distributed among the soldiers by your agent delegated for that purpose, they have failed to produce the intended effect—and although it may appear incredible to your excellency, even soldiers have discernment sufficient to perceive, that the proclamation of a governor when issued out of the line of his duty, is a harmless, inoffensive, nugatory, document. They regard it with mingled emotions of pity and contempt for its author, and as a striking monument of his folly.

Before we conclude, we feel ourselves in justice to your excellency, bound to declare, that a knowledge of your excellency's character induces us to believe, that the folly and infamy of the proclamation which your excellency has put your signature to, is wholly to be ascribed to advisers, with whom we believe your excellency is unhappily encompassed.

We are with due respect your excellency's obedient servants,

| | |
|---|---|
| Luther Dixon, lieut. col. | Francis Norway, lieut. |
| Elijah Doe, jun. major. | Joshua Brush, lieut. |
| Josiah Grout, major. | Daniel Dodge, ensign. |
| Charles Bennet, captain. | Sanford Gadcomb, capt. |
| Jesse Post, captain. | James Fulling, qr. mr. |
| Elijah W. Wood, captain. | Shepard Beals, lieut. |
| Elijah Birge, captain, | John Fassit, surgeon. |
| Martin D. Follet, capt. | Seth Clarke, jr. surg. mate. |
| Amasa Mansfield, capt. | Thomas Waterman, capt. |
| T. H. Campbell, lieut. | Benjamin Follet, lieut. |
| G. O. Dixon, lieut. | Hila Hill, surgeon's mate. |

# Events of the War.

## MISCELLANEOUS.

*The conquest of Canada*, 1760—From *Hume's* History of England, continued by Dr. *Smollett* and others, vol. 10, page 45, the following is transcribed:

"In a word, general Amherst took possession of Montreal and completed the conquest of Canada; *a conquest the most important of any, that* EVER *the British army achieved, whether we consider the safety of the British colonies in America now secured from invasion and encroachment; the extent and fertility of the country subdued; or the whole Indian commerce thus transfered to Great Britain.*"

*The Argus and Pelican.* The tonnage of the late U. S. brig *Argus*, is thus given—

*Dimensions of the U. S. brig Argus, built in Boston, by Mr. Edmund Hart.*

| | | |
|---|---|---|
| Length of keel, for tonnage, | 80 ft. | 298 *tons.* |
| Breadth of beam, | do. 28 do. | |
| Depth of hold, | do. 12 ft. 8 in. | 68-95*ths.* |

A London paper of the 31st August has the following——"The *Pelican brig* of 18 guns, which so nobly captured the Argus American *sloop of war*, was commanded by captain Searle, when she beat the French frigate Medea, of 44 guns into Guadaloupe, after an action of two hours, in the year 1799."

The "Pelican brig" is twice as large and twice as strong as the "Argus sloop of war."

A very handsome and effectual fort, built by the detached militia at Portland, has been called Fort *Burrows*, in honor of the conqueror the *Boxer*.

Letters to the editor from *Chilicothe* of the 18th and 20th ult give the following list of the British prisoners then at that place. The officers on parole are:

Lieutenant-colonel Warburton, major Chambers, D. A. Q. M. G.; major Muir, 41st regiment; captain Dorensey, 41st do.; captain M'Coy, do. captain Hill, do.; captain Tellan, do.; captain Dixon, royal engineer; lieutenant Hale, 41st regiment; lieutenant Watson, 41st do.; lieutenant Linn, do.; lieutenant Jeboult, do.; lieutenant O'Keefe, do.; lieutenant Geale, do.; lieutenant Purvies, royal navy; lieutenant Stokoe, do. do.; lieutenant Bremner, provincial do.; lieutenant Rolette, do. do.; lieutenant Irvine, royal navy; lieutenant Garden, royal Newfoundland regiment; lieutenant Holmes, light dragoons; ensign Hompessen, 41st regiment; ensign Cochran, do.; ensign Jones, do; A. B. Garden, gentleman, volunteer royal navy; John Richardson, do. 41st regiment; James Lamg, cadet, 41st regiment; John Campbell, master's mate, R. P. N.; G. Collins, do. do. royal navy; John Fearson, do. do.; James Fortier, do. do.; Robert Nelson, Midshipman.

*Number and description of non-commissioned officers, musicians and privates, prisoners at* "Camp Butl," *Chilicothe.*

| | |
|---|---|
| Forty first regiment, | 480 |
| Royal Navy, | 114 |
| Royal Newfoundland regiment, | 59 |
| Royal Artillery, | 8 |
| Royal Veteran Battalion, | 4 |
| Canadian Light Dragoons, | 13 |
| Aggregate | 678 |

*Note.* "Since the above list was drawn off about 40 prisoners, who were left at *Detroit*, and other posts wounded and sick, have arrived at *Chilicothe*—others yet remain."

On the 29th, the whole of the *British* prisoners taken by *Harrison*, took boats to descend the rivers *Scioto* and *Ohio* to *Newport*, Kentucky, where there are barracks belonging to the United States.

While at *Chilicothe*, the *British* officers strictly maintained that high reputation for *modesty* and *good order* that belongs to the *unassuming* character of their nation. Two or three of them were put in the *common jail* for violating the laws of civil society; and one of the most distinguished was scarcely prevented from the commission of a deed (on a little girl 10 or 12 years old,) that might have brought him to the gallows. The *Kentuckians* will keep them in due bounds.

We fear that a good many of the prisoners taken by *Harrison* and *Perry* have made their escape; as we have heard of several instances of desertion to save themselves from returning to the service of their "most gracious" master. Poor fellows! we pity them and would let them run, if it were not that we wanted them for exchange.

Speaking of *Harrison's* victory an *English* paper printed in *Rhode Island*, has the following remark: "Its was *the triumph of a cloud of Kentucky savages* over a handful of the enemy's troops—no more than a march, and the capture, without fighting, of a *few brave men!*"

The late British schooner High Flyer, captured by the President frigate, has been sold at auction for $11,000.

Commodore *Bainbridge* has lately visited the seat of government, while there the citizens of *Georgetown* invited him to an entertainment; among the guests were captain *Morris*, lieutenants *M'Call*, and *Forrest*. After the feast the following toasts were drank:

1. The constitution of the United States—Cabled on that, anchor no tempest can move.
2. Union—"The main pillar in the edifice of our real independence."
3. The President of the United States.
4. The American navy—We claim the trident of the western seas.
5. Truxton the brave—No *Insurgent* against my country's rights—*Vengeance* is mine.
6. Preble before Tripoli—I pay *my* tribute from the cannon's mouth.
7. Commodore Decatur—Your two fold honors are your country's pride.
8. Captain Trippe—11 to 36—no fearful odds where glory is the boon.
9. Somers, Wadsworth and Israel—You herald your fame to the mansions above.
10. The modest Hull—The *Warrior* beaten and your crest not raised.
11. The generous and accomplished commodore Bainbridge—His feathered arrow soothes the anguish of the vanquished foe.
12. Lawrence, Allen and Burrows—A train of satellites in the Constellation of Washington.
13. Captain Jones—You do for *Frolic* what we would for grave.
14. Captain Elliot—He won the Lymonades of rude Erie's deep.
15. Commodore Chauncey—Thrice did Achilles chase Hector round the walls of Troy.
16. Commodore Perry—The hero of the lake—could Nelson have done more?
17. The naval officers of the United States—All—all choice spirits of Columbia's growth.
18. The fair—They smile benignly on the trophies of the brave.

Commodore *Bainbridge* made his public *entre* into *Philadelphia* on Saturday last, with military escort, amidst the acclamations of the people.

The *British*, off the eastern coast, are capturing many small vessels *laden with provisions!* "Understood?"

## MILITARY.

*The northern armies*—In the official letters inserted below, with the other details apparently worthy of reliance, the reader will perceive a pretty complete history of the late transactions in the north. We are not prepared to offer one word by way of comment at this time; but shall briefly notice a few facts, &c. that have reached us from other sources——

Brig. gen. *Covington* died of his wounds on the 13th ult. He was a native of *Maryland* and one of *Wayne's* favorite pupils, having commanded the cavalry in his memorable battle with the indians, at the Rapids of the Miami, in 1794. Without depreciating the character of any, he was accounted one of the very best officers in the service—a braver man never fell on the embattled field; for he was "every inch a soldier." He had (what is exceedingly wanted) great practical knowledge of all that appertains to a military life, and his loss, like that of Pike's, will be severely felt by his country. He was shot with a musket ball through the bowels. It is said that a British brigadier-general *Fraser*, was killed in the affair.

Major-general *Harrison* arrived at *New-York* on the 28th ult. He left his army in winter quarters at *Sackett's Harbor*; where *Chauncey*, having brought that army down from *fort George*, was about to lay up his fleet for the season. The secretary of war is reported on his return to the seat of government.

The affair of general *Brown*, briefly mentioned in general *Wilkinson's* despatch, is thus stated, (but we shall have the particulars by and bye)—"the advance, under *Brown*, had a smart action with the enemy about the same time, fifteen miles below, in which major Forsyth received two flesh wounds, not dangerous, and the result of this action was, *the capture from the British of five pieces of artillery, between one and two hundred prisoners, and a very large quantity of military stores.*"

We have yet to receive many things of considerable interest as well respecting *Brown's* battle as of the obstinate contest that *Boyd* had with the enemy—in which, it appears, each party claims the victory. The loss seems nearly equal on both sides.

It is stated that generals *Hull*, *Winchester* and *Tay*

*lor*, colonel *Lewis*, and major *Madison*, are at last exchanged.

General *Hampton* is said to be on his way to the seat of government. *Izard* in command at *Plattsburg* and *Parker* at *Burlington*. Major-general *Wilkinson* is yet seriously indisposed, as is also major-general *Lewis*.

The following neat and appropriate proclamation was issued by general *Wilkinson* on entering *Canada*.

JAMES WILKINSON,

*Major-general and commander in chief of an expedition against the Canadas, to the inhabitants thereof*:

The army of the United States which I have the honor to command, invades these provinces to conquer, and not to destroy; to subdue the forces of his Britannic majesty, not to war against his unoffending subjects—Those, therefore, among you, who remain quiet at home, should victory incline to the American standard, shall be protected in their persons and property. But those who are found in arms, must necessarily be treated as avowed enemies.

To menace is unjust—to seduce dishonourable—Yet it is just and humane to place these alternatives before you.

Done at the head-quarters of the United States, this sixth day of November, 1813, near Ogdensburg, on the river St. Lawrence.

(Signed) JAMES WILKINSON.

By the general's command,

(Signed) N. PINKNEY,
Major and aid-de-camp.

The *Democratic Press* of the 29th, says—"By advices received from general Wilkinson's army, we understand that in consequence of a letter received from general Hampton, positively refusing to join the army under general Wilkinson at St. Regis, a consultation among the officers took place, of which the following is the result: for which we are indebted to our correspondent. The letter to us is dated at Salmon river, French Mills, 15th November 1813.

*Extract from the general order of general Wilkinson, of the 13th November.*

"The troops are to embark without loss of time, yet, are not to be hurried in leaving the Canadian shore, from whence the commander in chief is compelled to retire by the extraordinary, unexampled, and it appears unwarrantable conduct of major-general Hampton, in refusing to join this army with a division of 4000 men under his command, agreeable to positive orders from the commander in chief, and as he has been assured, by the secretary at war, of explicit instructions from the war department.—Thus deprived of a large portion of his promised force, the commander in chief feels himself bound by a sense of regard to this meritorious corps, and of sacred duty to the United States, to spare the lives of brave men, and not to hazard the character or interest of the nation, by an unequal conflict.—He with lively regret, and the deepest mortification, suspends the destined attack upon Montreal. *But he assures this army that it is not abandoned.*"

A letter from the army said to be under date of the 19th, assures that contrary to expectation, gen. Hampton *had*, with his army, joined the army under general Wilkinson, and that confident expectations were entertained that the object of the campaign would yet be attained.

Col. Dix, of the 14th reg. a very valuable officer, died of an inflammation in the lungs on the morning of the 14th.

The foregoing appear to be all the material facts relating to *Hampton's* division, necessary to notice, at present, that are not detailed below.

From this division we have had many reports, as usual, in which it is impossible to discern the truth. It appears that that army is at *Plattsburg*, in winter quarters—Com. M'Donough was also there with his flotilla on the 17th—he was to sail next day with the sick for *Burlington*, and then proceed to *White Hall* to lay up his vessels. The British were supposed to be frozen up at the Isle of Noix, as there was considerable ice on the lake. *Good sleighing in Vermont.*

The following from the *Plattsburg* paper, may be accepted as a semi-official account of the affair, in which 300 British beat 8000 Americans, see page 202.

*Plattsburgh, Nov.* 13.—Many representations having been made, some of them designedly erroneous, with respect to general Hampton's late expedition, we have thought proper to communicate the following statement which is from a source which cannot but be correct, and for the truth of which we can freely vouch.

COMMUNICATION.—Our army under gen. Hampton, moved from Chateaugay on the 21st Oct. and arrived at its position at Scars on the 22d. Thus having with incredible labor, surmounted 24 miles of the most difficult part of the route, through the extensive and almost impassible forest, which bounds the Canada line. After four or five miles of open country, another forest of 6 or 7 miles is opposed to their march, (which was on the north west side of the river.) This the enemy had made almost an intire fortification by crossing it with felled trees interspersed with breast works and ditches: through these obstructions the enemy was to be assailed—a part of their forces consisting of light troops and Indians, were posted in these defences, while the main body, commanded by sir George Prevost in person, was lodged in the rear, fortified with batteries and cannon. The hardships our army had endured, the continual rains that were falling, and the obstructions in front would have damped the ardor of troops less disposed to disregard all sufferings and perils in pursuit of glory and in the service of their country—but on the contrary, partaking largely of the spirit which inspired their commander in chief, every individual seemed uncommonly emulous of the enterprize.

It was believed that the obstructions could not be forced by our main body, without great loss. To avoid this, the light companies and a regiment of infantry were detached at dark, on the evening of the 25th, to proceed on the opposite (s. E.) side of the river to a fording place below the enemy's advance; which they were to cross and attack the enemy in flank and rear, while the main body should attack in front; and thus, destroy the enemy's defence at a blow. Owing to the darkness of the night, incessant rain, and the difficulties of the wood the guide who conducted this detachment having lost his way, the party did not arrive at the proposed point. The battalion of the 10th regt. consisting of about 200 men, were at the appointed time, (3 o'clock P. M. on the 26th) at the entrance of the obstructed wood, waiting the attack of our troops on the enemy's flank, which was to be the signal for them to advance. At this moment the enemy commenced a fire on this battalion, who promptly returned it, then charged and drove the enemy from their lurking places, dispersing them and intirely silencing their fire; in this we had only one man killed and some three or four wounded. At this moment the firing commenced on the opposite side of the river with some of the light companies; and it was here, and not in either of the main divisions of the army that any serious loss, or the least confusion occurred; the enemy was, however, soon dis-

persed in this quarter also. After waiting some time for the renewal of the enemy's attack, the main body of our army fell back slowly and in good order; the enemy not daring to show themselves or in the least to interrupt their march to a position 4 miles from the place of action. Here they were shortly after joined by the detached party who had had some further skirmishing with the enemy of no great account. At this place they remained several days without receiving the least molestation. The only failure of the expedition is attributable to the miscarriage of the guide, which disconcerted a plan which otherwise must have led to the capture of a considerable portion of the enemy's force and the complete destruction of his plan of defence.

The major-general deserves the highest encomiums for skill and sagacity exhibited in his excellent arrangement.

Our actual total loss in killed, wounded and missing, does not exceed 35 men. The whole of our force engaged did not exceed 225 men on the side where the greatest force of the enemy was opposed—the other regiments did not arrive until the moment when the enemy were retiring, and were only formed in line, but took no part in the engagement. The reason why the enemy were not pushed further in this point is well known to be solely that the crisis of the campaign had not yet sufficiently advanced more for serious operations in that quarter.

## OFFICIAL CORRESPONDENCE.

*From the Albany Argus Extra.*

FROM GEN. WILKINSON TO THE SECRETARY AT WAR.

Head-quarters French Mills, adjoining the province of Lower Canada, November 16, 1813.

SIR—I beg leave to refer you to the journal which accompanies this letter, for the particulars of the movements of the corps under my command, down the St. Lawrence, and will endeavor to exert my enfeebled mind to detail to you the more striking and important incidents which have ensued my departure from Grenadier Island at the foot of lake Ontario, on the 3d inst.

The corps of the enemy from Kingston which followed me hung on my rear, and in concert with a heavy galley and a few gun boats, seemed determined to retard our progress. I was strongly tempted to halt, turn about and put an end to his teazing; but alas! I was confined to my bed; major-general Lewis was too ill for any active exertion; and above all, I did not dare suffer myself to be diverted a single day from the prosecution of the views of government. I had written maj. gen. Hampton on the 6th inst. by his adjutant-general colonel King, and had ordered him to form a junction with me on the St. Lawrence, which I expected would take place on the 9th or 10th. It would have been unpardonable had I lost sight of this object a moment, as I deemed it of vital importance to the issue of the campaign.

The enemy deserve credit for their zeal and intelligence, which the active universal hostility of the male inhabitants of the country enabled them to employ to the greatest advantage. Thus, while menaced by a force in rear, the coast was lined by musketry in front, at every critical pass of the river, which obliged me to march a detachment, and this impeded my progress.

On the evening of the 9th inst. the army halted a few miles from the head of the Longue Saut. In the morning of the 10th, the enclosed order was issued. Gen. Brown marched agreeably to order, and about noon we were apprized by the report of his artillery, that he was engaged some distance below us. At the same time the enemy were observed in our rear, and their galley and gun-boats approached our flotilla, and opened a fire upon us, which obliged me to order a battery of 18 pounders to be planted, and a shot from it compelled the vessels of the enemy to retire, together with their troops, after some firing between the advanced parties. But by this time, in consequence of disembarking and re-embarking the heavy guns, the day was so far spent, that our pilots did not dare enter the Saut, (eight miles a continued rapid) and therefore we fell down about two miles and came to for the night. Early next morning every thing was in readiness for motion; but having received no intelligence from gen. Brown, I was still delayed, as sound caution prescribed I should learn the result of his affair, before I committed the flotilla to the Saut. At half past ten o'clock A. M. an officer of dragoons arrived with a letter, in which the general informed me he had forced the enemy, and would reach the foot of the Saut early in the day.—Orders were immediately given for the flotilla to sail, at which instant the enemy's gun-boats appeared, and began to throw shot among us. Information was brought me at the same time from brig. gen. Boyd, that the enemy's troops were advancing in column. I immediately sent orders for him to attack them; this report was soon contradicted. Their gun-boats however continued to scratch us, and variety of reports of their movements and counter movements were brought to me in succession; which convinced me of their determination to hazard an attack, when it could be done to the greatest advantage,—and therefore I resolved to anticipate them. Directions were accordingly sent by that distinguished officer col. Swift, of the engineers, to brig. gen. Boyd, to throw the detachments of his command, assigned to him in the order of the preceding day, and composed of his own, Covington's and Swartwout's brigades, into three colums, to march upon the enemy, outflank them if possible, and take their artillery. The action soon after commenced with the advanced body of the enemy, and became extremely sharp and galling, and, with occasional pauses, not sustained with great vivacity, in open space and fair combat, for upwards of two and a half hours,—the adverse lines alternately yielding and advancing. It is impossible to say with accuracy what was our number on the field,—because it consisted of indefinite detachments taken from the boats to render safe the passage of the Saut. Generals Covington and Swartwout voluntarily took part in the action, at the head of detachments from their respective brigades, and exhibited the same courage that was displayed by brig. gen. Boyd, who happened to be the senior officer on the ground. Our force engaged might have reached sixteen or seventeen hundred men, but actually did not exceed eighteen hundred; that of the enemy was estimated from twelve hundred to two thousand, but did not probably amount to more than fifteen or sixteen hundred—consisting, as I am informed, of detachments from the 49th, 84th and 104th regiments of the line; with three companies of the Voltigeur and Glengary corps, and the militia of the country, who are not included in the estimate.

It would be presumptuous in me to attempt to give you a detailed account of the affair, which certainly reflects high honor on the valor of the American soldier, as no examples can be produced of undisciplined men, with inexperienced officers, braving a fire of two hours and a half, without quitting the field or yielding to their antagonist. But, sir, the information I now give you, is derived from officers in my confidence, who took active parts in this conflict; for though I was enabled to order the attack, it was my hard fortune not to be able to lead the troops I commanded. The disease with which I

was assailed on the 2d of September, on my journey to Fort George, having, with a few short intervals of convalescence, preyed on me ever since, and at the moment of this action, I was confined to my bed and emaciated almost to a skeleton, unable to set on my horse or to move ten paces without assistance.

I must, however, be pardoned for trespassing on your time a few remarks in relation to the affair. The objects of the British and American commanders were precisely opposed—the last being bound by the instructions of his government, and the most solemn obligations of duty, to precipitate his descent of the St. Lawrence by every practicable means; because this being effected, one of the greatest difficulties opposed to the American arms would be surmounted; and the first, by duties equally imperious, to retard, and if possible, prevent such descent. He is to be accounted victorious who effected his purpose! The British commander, having failed to gain either of his objects, can lay no claim to the honors of the day. The battle fluctuated, and triumph seemed, at different times, inclined to the contending corps. The front of the enemy were at first forced back more than a mile, and, though they never regained the ground they lost, their stand was permanent and their charges resolute. Amidst these charges and near the close of the contest we lost a field piece by the fall of the officer who was serving it with the same coolness as if he had been at a parade of review. This was lieutenant Smith, of the light artillery, who, in point of merit, stood at the head of his grade. The enemy having halted and our troops being again formed into battalion front to front, we resumed our position on the bank of the river, and the infantry being much fatigued, the whole were re-embarked and proceeded down the river without any further annoyance from the enemy or their gun-boat, while the dragoons with five pieces of light artillery marched down the Canada shore without molestation.

It is due to his rank, to his worth and his services, that I should make particular mention of brigadier-general Covington, who received a mortal wound directly through the body while animating his men and leading them to the charge. He fell, where he fought, at the head of his men, and survived but two days.

The next morning the flotilla passed through the Sault and joined that excellent officer brigadier-general Brown, at Barnharts, near Cornwall, where he had been instructed to take post and wait my arrival, and where I confidently expected to hear of major-general Hampton's arrival on the opposite shore. But immediately after I halted, colonel Atkinson, the inspector general of the division under major-general Hampton, waited on me with a letter from that officer, in which, to my unspeakable regret and surprise, he declined the junction ordered, and informed he was marching towards lake Champlain by way of co-operating in the proposed attack on Montreal. This letter, together with a copy of that to which it is an answer, was immediately transmitted to a council of war, composed of my general officers and the colonel commanding the Elite, the chief engineer and the adjutant-general, who unanimously gave it as their opinion that "the attack on Montreal should be abandoned for the present season, and the army near Cornwall should be immediately crossed to the American shore for taking up winter quarters, and that this place afforded an eligible position for such quarters."

I acquiesced in these opinions, not from the shortness of the stock of provisions, (which had been reduced by the acts of God) because that of our meat had been increased five days, and our bread had been reduced only two days, and because we could, in case of extremity, have lived on the enemy; but because the loss of the division under major-general Hampton weakened my force too sensibly to justify the attempt. In all my measures and movements of moment, I have taken the opinions of my general officers, which have been in accord with my own.

I remained on the Canada shore until next day, without seeing or hearing from the "powerful force" of the enemy in our neighborhood, and the same day reached the position with the artillery and infantry. The dragoons have been ordered to Utica and its vicinity, and I expect are fifty or sixty miles on the march.

You have under cover a summary abstract of the killed and wounded in the affair of the 11th inst. which shall soon be followed by a particular return, in which a just regard shall be paid to individual merits. The dead rest in honor, and the wounded bled for their country and deserve its gratitude.

With perfect respect, I have the honor to be, sir, your obedient, humble servant,

(Signed) JAMES WILKINSON.

*Extract of a letter of the 15th of November from general Wilkinson.*

"It is a fact, for which I am authorised to pledge myself on the most confidential authority, that on the fourth of the present month, the British garrison of Montreal consisted solely of 400 marines and 200 sailors, which had been sent up from Quebec. We have with the provisions here and that left at Chataguay, about forty days subsistence, to which I shall add thirty more."

*Hon gen. Armstrong, secretary of War.*

Return of the killed and wounded of a detachment of the army of the United States, descending the St. Lawrence river, under the command of major-general James Wilkinson, in an action fought at Williamsburgh in Upper Canada, on the 11th of November, 1813,

*Killed*—Subalterns 3, serjeants 7, corporals 3, musicians 1, privates 88—total 102.

*Wounded*—Brigadier-general 1, assistant adjutant-general 1, aid-de-camp 1, colonel 1, major 1, captains 5, subalterns 6, serjeants 9, corporals 13, musician 1, privates 198—total 237.

Total killed and wounded 339.

*Names of the commissioned officers killed and wounded.*

*Killed*—Lieutenant Wm. W. Smith, of the light artillery; lieutentant David Hunter, of the 12th regiment of infantry; lieutenant Edward Olmstead, 15th do. do.

*Wounded*—Brigadier-general Leonard Covington, mortally, (since dead); major Talbot Chambers, assistant adjutant-general, slightly; maj. Darby Noon, aid-de-camp to brigadier-general Swartwout, slightly; colonel James P. Preston, of the 23d regiment infantry, severely, his right thigh fractured; major W. Cummings, 8th regiment, severely; captain Edmund Foster, 9th do. slightly; captain David S. Townsend,* do. do. severely; captain Mordecai Myers, 13th do. severely; captain John Campbell, do. slightly; captain John B. Murduck, 25th do. slightly; lieutenant Wm. S. Heaton, 11th do. severely; lieutenant John Williams 13th do. slightly; lieut. John Lynch,* 14th do. severely; lieutenant Peter Pelham,* 21st do. severely; lieutenant James D. Brown, 25th do. slightly; lieutenant Archibald C. Crary, do. do. severely, in the skirmish the day before the action.

*Adjutant general's office, Head-Quarters, Military district, No. 9, French Mills, Nov.* 1813.

(Signed) T. B. WALBACK, *Adjutant-gen'l*

* *Taken prisoner.*

N. B. Colonel Preston ment of infantry during th manded the 13th regi- mings did duty with the 16 ion; and major Cum- the action. giment infantry in

*From general Wilkinson to gen.*
Head-Quarters of the army, 7 miles Hampton.
November 6th, 181 Ogdenburg,

SIR—I address you at the special in the evening), secretary of war, who by bad roads, worse of the and ill health, was diverted from meeting gather this place, and determined to tread back his st near to Washington from Antwerp on the 29th ult.

I am destined to and determined on the attack of Montreal, if not prevented by some act of God; and to give security to the enterprize, the division under your command must co-operate with the corps under my immediate orders; the point of rendezvous is the circumstance of greatest interest to the issue of this operation, and the distance which separates us, and my ignorance of the practicability of the direct or devious roads or routs by which you must march, make it necessary that your own judgment should determine the point; to assist you in making the soundest determination, and to the most prompt and effectual measures, I can only inform you of my intentions and situation in some respects of first importance. I shall pass Prescott to-night, because the stage of the season will not allow me three days to take it, shall cross the cavalry at Hamilton, which will not require a day. I shall thence pass forward and break down every obstruction to this river with Grand river, there to cross the Isle Perrot, and with my scows to bridge the narrow inner channel and thus obtain foothold on Montreal Island about twenty-five miles from the city; after which our artillery, bayonets and swords must secure our triumph or provide us honorable graves.

Enclosed you have a memorandum of field and battering train, pretty well found in fixed ammunition, which may enable you to dismiss your own; but we are deficient in loose powder and musket cartridges, and therefore hope you may be abundantly found.

On the subject of provisions I wish I could give as favorable information; our whole stock of bread may be computed at about fifteen days, and our meat at twenty. In speaking on this subject to the secretary of war, he informed me ample magazines were laid up on lake Champlain, and therefore I must request of you to order forward two or three months supply by the safest rout, in a direction to the proposed scene of action. I have submitted the state of our provisions to my general officers, who unanimously agree that it should not prevent the progress of the expedition; and they also agree in opinion, that if you are not in force to face the enemy, you should meet us at St. Regis or its vicinity.

I shall expect to hear from, if not see you at that place on the 9th, and have the honor to be, respectfully, your obedient humble servant,

(Signed) JA. WILKINSON.

*Major-general Hampton.*

*From general Hampton to general Wilkinson.*
Head-Quarters, Four Corners, Nov. 8, 1813.

SIR—I had the honor to receive, at a late hour last evening, by colonel King, your communication of the 6th, and was deeply impressed with the sense of responsibility it imposed of deciding upon the means of our co-operation. The idea suggested as the opinion of your officers of effecting the junction at St. Regis, was the most pleasing, as most immediate, until I came to the disclosure of the amount of your supplies of provisions. Colonel Atkinson will explain the reasons that would have rendered it impossible for me to have brought more than each man could have carried on his back; and when I reflected that in throwing myself upon your scanty means, I should be weakening you in your most vulnerable point, I did not hesitate to adopt the opinion, after consulting the general and principal officers, that by throwing myself back on my main depot, when all the means of transportation had gone, and falling upon the enemy's flank, and straining every effort to open a communication from Plattsburgh to Coglinawaga, or any other point you may indicate on the St. Lawrence, I should more effectually contribute to your success, than by the junction at St. Regis. The way is in many places blockaded and abatted, and the road impracticable for wheel carriages during winter—but by the employment of pack horses, if I am not overpowered, I hope to be able to prevent your starving. I have ascertained and witnessed that the plan of the enemy is to burn and consume every thing in our advance. My troops and other means will be described to you by colonel Atkinson. Besides their paucity and sickliness, they have endured fatigues equal to a winter campaign, in the late snows and bad weather, and are sadly dispirited and fallen off: but upon the subject I must refer you to colonel Atkinson.

With these means, what can be accomplished by human exertion, I will attempt. With a mind devoted to the general objects of the campaign, I have the honor to be, very respectfully, sir, your most obedient servant, W. HAMPTON.

*His exc. major-general James Wilkinson.*

GENERAL WILKINSON TO GENERAL ARMSTRONG.
*Head-Quarters, French Mills,*
*November* 18, 1813.

SIR—I beg this may be considered as an appendage to my official communication respecting the action of the 11th instant. I last evening received the enclosed information, the result of the examination of sundry prisoners, taken on the field of battle, which justifies the opinion of the surviving general officers who were in the engagement: this goes to prove, that although the imperious obligations of duty did not allow me sufficient time to route the enemy, they were beaten—the accidental loss of one field piece notwithstanding, after it had been discharged fifteen or twenty times. I have also learned, from what is considered good authority, but I will not vouch for the correctness of it, that the enemy's loss exceeded five hundred killed and wounded. The enclosed report will correct an error in my former communications—as it appears it was the 89th, and not the 84th British regiment which was engaged on the 11th. I beg leave to mention, relative to the action of the 11th, what, from my extreme indisposition, I have omitted: having received information late in the day, that the contest had become somewhat dubious, I ordered up a reserve of six hundred men, whom I had directed to stand by their arms, under lieutenant-colonel Upham, who gallantly led them into the action, which terminated a few minutes after their arrival on the ground.

With much consideration and respect, I have the honor to be, sir, your obdt. humble servant,

JAS. WILKINSON.

The hon. John Armstrong, sec'ry at war.

*Statement of the strength of the enemy in the action of the 11th November, 1813, on Keasler's field in Williamsburg, in Upper Canada—founded on the separate examination of a number of British prisoners taken on the field of battle.*

| | | |
|---|---|---|
| Of the 89th regiment | 760 | |
| 49th | 450 | |
| Voltigeurs | 270 | |
| Glengary's | 80 | |
| Of the 100th | 40 | a detachment from Prescott. |

| | |
|---|---|
| Canadian Fencibles | 220 |
| Indians | 40 |
| Incorporated militia | 300 |
| | 2170 |

Four pieces of mounted artillery; and seven gun-boats—one mounting a 24 pounder.

I certify that the above statement is correct agreeably to the statement of the above mentioned prisoners.

(Signed) I. JOHNSON,
Inspector-general 2d division.

HEAD-QUARTERS,
*French Mills, Nov.* 16, 1813.

GENERAL WILKINSON'S ARMY.—JOURNAL.

*Grenadier Island, October* 30.—This day the advance corps of the army left this island under general Brown, on a most important expedition to Canada. The concentration of the expedition has been long delayed by events which none but He who holds the winds and waves in control, could have averted.

*Nov.* 2.—The day the rear division of the expedition sailed in a flotilla of boats, which have covered the river for nearly five miles. The dragoons have been sent down by land on the American side of the river. They amount to about 900—the infantry and other arms are estimated at from 7 to 10,000. From this island, which is situated at the east end of lake Ontario, to Montreal, following the course of the river, is estimated at 180 miles.

*St. Lawrence River, Nov.* 2—The van of the expedition has arrived at French creek, about 18 miles from Grenadier island. Here it was attacked yesterday and to day, by a flotilla from Kingston, which attacks were returned and repulsed. Our loss 10 killed and wounded. The flotilla returned to Kingston.

*Nov.* 2.—The whole expedition concentrates at French Creek.

*Nov.* 4—The expedition is passing down the river—has cleared the Thousand Islands—and is approaching Augusta (or Precott) where the British have a strong fort and garrison: but where the river is nearly two miles wide. The army can pass far out of point-blank shot.

*Nov.* 7—Last night the army passed fort Prescott (Prevost.) The general resorted to the expedient of sending some old boats forward, on which the British artillerists exhausted their long shot; and the army passed harmless, excepting from one shot which killed two men and wounded three others. The expedition this day reached Hamilton which is about 20 miles below Prescott and Ogdensburg, and about 95 miles from Montreal.

*Nov.* 9—The expedition has halted at Hamilton. The dragoons which had marched down the river on the American side, were this day embarked on board scows and boats, and landed near Williamsburg. At the same time about 1,500 men of gen. Boyd's brigade were also landed, with a view to cover the boats through the rapids, where the defiles are narrow and where the enemy have erected block-houses. The dragoons could not conveniently be transported down the rapid part of the river in the boats. The expedition will move down, *pari passu*, with the troops and cavalry landed. Heavy cannonade was heard this day at and near Cornwall on the Canada side situated about 5 miles above the Indian village of St. Regis, on the boundary line between the United States and Lower Canada.

*Nov.* 10—The expedition passed to opposite St. Regis. It is stated to be the intention of general Wilkinson to re-embark the infantry here and take them down lake St. Francois (a part where the river expands into an extensive lake;) and that the dragoons should pass round the head of the lake, on the Canada side.

*Extract of a letter, dated*

"FORT GEORGE, Nov. 14.

"Dear Sir—I had a grand brigade parade yesterday. Our effective force on this side of the river is **** independent of 300 volunteers that have arrived under the last call of gen. M'Clure, by order of gen. Harrison. The object of calling on volunteers was, for the purpose of dispossessing the enemy of Burlington heights. I think there will be at least 200 volunteers more under the said orders.—Gen. Harrison's force is not far from **** effective men. I think we shall be able to start for the heights by Wednesday, with a force of at least **** men, besides some Indians. The information that we have received to day by two deserters, stated the force of the enemy to be 1000 regulars and 1700 Indians, with six 6 pounders, two 9's and one 12, tolerably well fortified on the heights.

Gen. M'Clure is certainly entitled to much credit, for his exertions in effecting the improvement and discipline of the militia. He has been indefatigable—they are equal in every respect to regulars.—Gen. Harrison has paid us several compliments. He acknowledged that our troops are equal to his in respect to discipline. I do not hesitate to say that a better disciplined body of militia have not been in service this war.

"I have been broke off in my letter by hearing the long roll beat in gen. H's camp. We are all under arms—there is a fleet in sight, and we cannot ascertain whether an enemy or not. I will resume my letter in the morning.

"MONDAY EVENING, Nov. 15.

"The fleet in sight last evening proved to be ours. They came to anchor in the river about 11 o'clock this morning. Our expedition is completely knocked in the head for the present. General Harrison's troops are now embarking for Sackett's Harbor.

NAVAL.

Six of the crew of the *Majestic* razee got on shore on Cape Cod, and deserted.

The schr. Experiment, Thompson, of New-York, was captured on the 19th, off Cape Henry—a prize-master and three men sent on board and two of the crew taken out, the captain and one man left. Same night captain T. re-captured his vessel. The schr. Federalist, taken by the British, was sent into cape *May* for ransom. The citizens took possession of the vessel and set the men at liberty. The lieutenant is in *Philadelphia*.

CAPTAIN CARDEN.—*From the United States Gazette.*—"I observe that at a public entertainment, lately given in London, very distinguished honors and compliments are bestowed on captain Carden, for his gallant defence of his majesty's ship *Macedonian*, against "*a superior and overwhelming force.*" It is well to tell this story now—but it is a fact, that captain Carden will not venture to deny, that when, before the war, he was at Norfolk with his ship, *Decatur* was also there with the *United States*; and they were frequently on board each other's vessels. Captain Carden then contended that his was the superior ship and better suited to combat. He said to Decatur, if you and I ever meet at sea as enemies, I shall take you—he particularly contended for the advantage of 18 pounders over 24's, considering the adoption of them in the British navy, as a strict improvement; alleging that the 18's could be fired and managed with so much more facility, that in a given time they would throw more weight of metal than the 24's and were equally destructive where they struck."

BLOCKADE OF THE CHESAPEAKE.

The enemy vessels now in the Chesapeake consist of the Dragon 74; Armine 38; Lacedemonian 36; and two brigs.

BLOCKADE OF NEW-LONDON.

The second battery at Groton is rapidly completing. Seven additional 24 pounders were mounted upon it a few days ago. New-London is becoming a very strong place.

## Expatriation—Impressment.

DESULTORY REMARKS—PERHAPS, NEW.

The late order of the *British* government communicated through sir *George Prevost* to major-general *Wilkinson*, and the proceedings of the President thereon, in ordering forty-six *British* officers into close confinement, in guarantee for the safety of that number of *Americans* so held in *Quebec*, has excited afresh the discussions on the *right of expatriation*, and renewed the question on the *practice of impressment*; as it is to the former, that the British advocates mainly depend to excuse their *client*, with self-known falsity pretending that *native* Americans are taken *only* by "mistake."

It is among the arts of "our writers," as *John Henry* called them, to confound by "much speaking" the plain rule of right—and to enlist, if it be possible, the native prejudices of the people, not only against the administration, but the *constitution* itself; which they would gladly destroy, that the views of *Great Britain* may be accomplished.

So much has been said on those subjects that it is hardly to be expected a new idea can be started in relation to them: yet the ground chiefly taken below has not been travelled over, (to the best of my recollection) and may afford some instruction.

Though I am no lawyer, (as it is fashionable for *editors* to be) but a mere *printer*, I venture to say, there is no principal of the *natural* or *written* law more perfectly understood than this—THAT WHAT THE LAW EXPRESSLY PERMITS A PERSON TO DO, IT WILL JUSTIFY AND SUPPORT HIM IN DOING.

The constitution of the United States provide for the "*naturalization of foreigners*"—which provision recognizes the *right of expatriation*, and promises *protection* to those who exercise it. *The two latter are the inevitable consequences of the former*

Is it not rather to be wondered, that *Washington* and all the able jurists and most venerable sages who so deliberately framed and carefully digested every part of that glorious instrument; and the collected wisdom of the individual states that collated, revised, amended, and finally adopted, our constitution, should never have discovered that it contained a *leading principle* that was an outrage upon the *established law of nations?* How much is it to be regretted, that some very learned gentleman, such as the editor of the *London Courier*, or other more learned *editors* that I could mention, had not *then* stepped forward to save this republic from the *ban of the civilized* world,* for its innovation upon that *essential quality* that binds society together!

But what are the real merits of the case? The *right* and PRACTICE of *expatriation* is of the oldest tradition. It existed, and was acknowledged, in the days of *Moses* and *Lycurgus*, and now exists in *every* nation, or tribe of people, on the globe, that holds an intercourse with any other nation, or tribe. The very savages, under the name of *adoption*, recognize it. The *forms* vary, but the *principle* is the same in all. If what *is* and *always has been*, the *universal practice of nations*, does not constitute a part of the *laws of nations*, I should like to know what the laws of nations are. *England* has many statute laws on the subject of *naturalization* [see note at the end]; nay, she has acknowledged the *right* of *expatriation* by *legislating* upon the number of *emigrants* that may leave her territories for those of a *foreign state*, proportioning them to the tonnage of the vessel in which they are about to depart. But we have no need of this—the *right of expatriation* is, *ipso facto*, recognized in an assumption of the right to *naturalize foreigners*; for it is impossible to suppose that *all* nations have, (at *all* times, past and present) by *naturalization*, violated the *law of nations* in regard to *expatriation*; which law is built upon the *usages of nations*. Without *expatriation* there cannot be *naturalization*. Let the very learned editor of the *London Courier*, or his more learned *fellow craftsmen* in the United States, say if this is not so.

When I have thought upon *expatriation* and *naturalization*; but more particularly, at times, when I have heard of an *American* seaman impressed, and flogged by the *British*, for "refusing to do duty," as the *Algerine* term is, the interview between *Paul* and the *centurion*, as recorded in the 22d chapter of the *Acts of the Apostles*, has frequently presented itself. A "chief captain" had ordered the Apostle to be "*examined by scourging*"—

"And when they had bound him with thongs, Paul said to the centurion that stood by, Is it lawful for you to scourge a man that is a *Roman* and *uncondemned?*

"When the centurion heard that, he went and told the chief captain, saying, *Take heed what thou doest; for this man is a Roman.*

"Then the chief captain came, and said unto him, Tell me, art thou a *Roman?* He said, Yea.

"And the chief captain answered, *with a great sum obtained I this freedom.* And Paul said, *but I was free born.*

"THEN STRAIGHTWAY THEY DEPARTED FROM HIM WHICH SHOULD HAVE EXAMINED HIM: *and the chief captain also was afraid,* AFTER HE KNEW THAT HE WAS A ROMAN, *and because he had bound him.*"

What a flood of intelligence and field for remark is opened in this beautiful and appropriate passage! Let us briefly apply its various points to the matter before us.

PROPOSITION. *Is it lawful for you to scourge a man that is a* ROMAN *and* UNCONDEMNED?

APPLICATION. The *British* officers, not the "chief captains" only, but the most unfeeling puppies and infamous brutes that the *British* navy contains, do, at their own discretion, or caprice, lay hold on, bind, make slaves of, and scourge, the free person of an *American* citizen, "UNCONDEMNED."

PROP. *Take heed what thou doest:* FOR THIS MAN IS A ROMAN.

APP. Though it be known to the *manstealer*, that the person carried off and scourged, is an *American* citizen, he does not "*take heed what he doeth.*" He would not take from a ship on the high seas, a bag of *cotton* or hogshead of *tobacco*, let him "suspect" them as much as he pleased, because he knows there is a law in respect to those *things* that may punish him. But has never heard that his government even censured one of its officers for carrying off MEN, however outrageous the case may have been. He knows that he will be approved for keeping up the complement of his crew; and that the worst that

* "If Mr. Madison proceeds in the course he has taken [to retaliate on the enemy his own barbarity, as shewn in the letter of sir *G. Prevost*] he will find the whole civilized world against him, without the solitary exception of even *Bonaparte* himself."

[*N. Y. Evening Post.*

can possibly happen to him is, to have the *man* released after months or years of servitude, without renumeration or pay. *Such a release is what the British government esteem the very limit of all that justice demands;* and there are creatures in the United States who call it "*magnanimous*" to restore the weather-beaten sailor on these terms!—If instead of a *man*, a *freeman*, created in God's own image, he were a senseless bale of *cotton* or a hogshead of the weed *tobacco*, his government might prosecute the robbery even to the execution of the robber; and though the flag so protects *property* that it cannot be touched "uncondemned," the *citizen* of a free state has no redress or security!—But the time must and will come, when punishment *shall* be inflicted for this horrible abuse. *Decatur's* banner, "FREE TRADE AND NO IMPRESSMENT," is nailed to the mast *Who is base enough to strike it?*—"DON'T GIVE UP THE SHIP!"

PROP. *Art thou a* ROMAN *? And he said,* YEA.

APP. When an impressed seaman alleges that he is an *American*, the *British* "examining" officer, nine times out of ten, *decently* calls him a "*liar*."—If he exhibits the proofs of his citizenship, they are torn to pieces and thrown in his face, with a supercilious observation, that "*such things may be purchased for half-a-crown a piece in America*," or, they are heedlessly handed to the purser to be put among *the papers of the ship*.

On a former occasion I observed that the work of debasement began with the use of those papers granted to seamen, called "*protections*." We do not affect to deny that many obtain them illegally—for perjury and false papers may be expected sometimes to be found on board an *American* vessel, seeing that the *British* GOVERNMENT have for years justified the use of them as well as of downright *forgery*†—but the grand error was in granting protections at all. —It tacitly admitted that the British might overhaul our vessels for *men* and take them out at discretion; and the practice had proceeded to such lengths, that an *American national* vessel of war was actually searched by a press gang from a *British* ship, during Mr. *Adams'* administration. This roused the spirit of *seventy-six*. The president ignominously dismissed the commander that submitted to the indignity; and directed that thereafter the crew of an United States' vessel should never be mustered but by their own officers, on any occasion or in any manner soever. A like demand had been made on rugged old *Decatur* (father of the present gallant commodore) and the high spirited captain *Tingey*, at different times. The *British* boarding lieut. *modestly* requested that our naval officers would exhibit the "protections" [*bits of paper*] of their men.—— "They are *there* and *there*," scornfully said these genuine Americans, pointing first at the *star spangled banner* and then to the *guns*—and, said *Decatur, this is the music that belongs to them*," ordering the drums to beat up *yankee doodle*. THESE VESSELS WERE NOT SEARCHED. Had this stand been taken at the *beginning*, it is very probable that the present war might have been avoided. But it was thought *expedient* to attempt to check, rather than strike at the root of the evil, at once. Well do I remember, when a youth, to have heard that venerable whig and most excellent man who now is at the head of the medical staff of the United States, Dr. *James Tilton*, say to a person who was speaking of the expediency of some political manœuvre, with that firmness in honesty, undissembled piety and bluntness of remark that characterizes him. "*Aye sir, but is it just?* DO WHAT YOU BELIEVE TO BE RIGHT, AND LEAVE THE REST TO GOD." To which also the pointed saying of *Franklin* applies—— "*He who gives up essential liberty to purchase temporary safety, deserves neither liberty nor safety.*" I humbly recommend these maxims to the *rulers of the present day*, and to the people of every class and condition. All of us will find our account in observing them.

PROP. *And the chief captain said, with a great sum obtained I* THIS *freedom.*"

APP. The chief captain was a *naturalized* citizen of *Rome*. He had *expatriated* himself and held a high office in his adopted country. Would not *Rome* have *protected* the person of this citizen "against a world in arms?" But to bring the case to an immediate bearing—would not *Great Britain* protect and defend, at every hazard, any who had become her subjects according to the provisions of her statutes, referred to below, for the *naturalization of foreigners*? Let us have a plain *yea* or *nay*. The question is distinctly stated, and none but a knave will refuse to answer it. I DEFY THE ANSWER. But "*our writers*" will not answer it.

It is among the arts of those very learned and candid gentlemen, the editor of the *London Courier*, and his brother editors on this side of the *Atlantic*, to represent the doctrine of *naturalization*, as contended for by the United States, as something *new* and unknown to the law of nations. It is by them to be lamented, that they cannot make it out to be a "*French*," doctrine: it would rhyme so well with the NEW "*French*" notions on the freedom of commerce,§ that we should have a most *harmonious clamor*. It is unfortunate for these gentlemen, that *British* statutes are now in force and acted upon, more than a hundred years old, for the *naturalization of foreigners;* investing them with precisely the same rights, as to citizenship, that *we* do, though with much less formula and probation than is required by the *United States*. Well—and having made a man a citizen or subject according to law, how shall you deprive him of that protection and those privileges that belong to his new condition? The *English* law says, that a person so *naturalized*, "*shall, to all intents and purposes, be taken and deemed as a natural born subject.*" Is it lawful in *Great Britain* and unlawful in the *United States* to do the same thing, the law of nations being the umpire?

But, if we want *positive* evidence that the *British* government has acknowledged the *right of expatriation*, we have it in the history of our own revolution. The American people had the *right to expatriate* themselves, or they were *rebels*. "Rebels" captured cannot be treated and held as *prisoners of war* for exchange; but our fathers, taken in battle, *were exchanged* as "prisoners of war," and the authority of congress, and of *Washington, as their general*, was acknowledged very soon after the controversy began. What is the country of the queen of *Wirtemburg*, daughter of *George* and *Charlotte Guelph?* Is she subject of *England* and the queen of a state presumed *independent?* It is impossible that she can be both. She must be one or the other. WHICH IS SHE? But a more remarkable case now strikes me. The affair of *James Napper Tandy*, a distinguished *Irishman*, is familiar to every one. The *British* bullied the *free imperial* city of *Hamburg* into a delivery of his person, and they carried him off in triumph, designing to execute him for the double crime of *rebellion* in *Ireland*, and of *treason* for bearing arms again

† See "simulated papers" in various places in the *Register*. The *British government* counterfeited and attempted to put into circulation, the continental bills of the *United States* and assignats of *France*. THIS IS "MORALITY."

§ See "Treaty of Utrecht, vol. 4, 348."

his "legitimate" sovereign, for he had a commission in the *French* service. But *Bonaparte* demanded him as a "*French*" *soldier*, and he was given up; and even without exchange put down at the place from whence he had been taken.

PROP. "*Then straightway they departed from him, which should have examined him* [i. e. should have scourged him] *and the chief captain also was afraid,* AFTER HE KNEW THAT HE WAS A ROMAN, *and because he had bound him.*"

APP. What might be said on this has already been anticipated. Besides, the proposition, in itself, as applied to the things under consideration, is so easily reducible to the cases to which it belongs, that any remark is deemed unnecessary.

We shall only add to this subject of *expatriation*, that under some and certain conditions, *every* writer on the public law admits, that a man may cast off his "natural allegiance." It is true, there are cases where it is rank treason to do so. Such, for instance, I should consider it in a person who came to the United States from the *British* dominions since the war, or even when there was a reasonable certainty that war would take place between the two countries, who should take up arms in our behalf. But he that *emigrated* lawfully cannot be made criminal, by the course of events, over which he had no control. And though I would not advise or desire that any who were not citizens of the United States when the war began, should take up arms except for local defence; yet those who were citizens, at that time, *must* be protected as such, or we are nothing. *And they will be protected.* It is truly ridiculous to observe, that the editor of the *London Courier* and his brother editors in *America*, who would give up to be *half hung*, then have *their bowels torn out* and *thrown in their faces*, those naturalized citizens, formerly subjects of *England*, that may be found in arms against her, eulogize as godlike, the conduct of *Moreau*, who was killed in fighting against *France*.

But thest learned and liberal gentlemen very well know that the claim of Great Britain to the services of her "natural born subjects" [just or unjust] is only the *pretence* for the practice of impressment—the principle is that "his majesty wants men and must have them." Britain has from 80 to 100,000 "FOREIGN seamen" in her NAVY and merchant vessels‖—shall *she* accuse *us* of inveigling *her* sailors? The excuse is too pitiful.

Let any of those gentlemen, so learned in the *laws of nations*, so well convinced of the *magnanimity* and *justice* of the *British* government, and so zealous that "*their king should have his own,*" attend to the queries below. I indignantly hurl them into the teeth of the advocates; let us have no twisting or turning, with a rigmarole of words long enough to unite *Boston* with *Halifax*, but a plain, simple, candid answer, to exonerate or condemn. I should like to see those folks attempt to reconcile the *practice* of my enemy, with the abstract *principles* they contend for on behalf of their friend.

1. IT IS notorious, that some few hundreds of impressed *American* seamen have been "given up," as the British call it, since the war, without any new proofs of their citizenship, *Why were not these men released before the war?*

2. It is officially stated by the British government that those impressed seamen given up, as aforesaid, were and would be held as *prisoners* for exchange.—*On what principle of law or moral justice are these men so treated?*

3. *Swedes*, *Danes* and *Germans*, nay, even *Frenchmen*, who had emigrated to the United States, and become citizens, have been impressed—and on being demanded by the American government, refused a release on the ground that they were *Swedes*, *Danes*, *Germans* or *Frenchmen*. THIS IS OFFICIAL. *If "his majesty" requires only his own subjects, why were these men taken and retained?*

4. Acknowledged natives of the United States, on being demanded as impressed seamen, have been refused to be given up, on the plea, that they had married *English* women. Is the simple fact of a *sailor's wedding* more competent to the naturalization of a foreigner, according to the *laws of nations*, than the five years probation, and solemn engagements required by the United States?

5. Would the BRITISH suffer the crews of their vessels to be overhauled for men, as they overhaul AMERICAN vessels?

6. And, lastly,—Who is he that shall sign a treaty with *Great Britain* to admit, that an American vessel may be searched, and her men carried away, at any time, at the discretion or caprice of any of the king's officers? Recollect, that the impressment of seamen is a point in the controversy, and that a treaty which shall deny or admit the right or practice, *must* be made, let peace come when it will.

Will the learned gentleman come "foot to foot" and meet these simple propositions? They are definite, and require nothing by way of preface or preamble beginning with, a "little while before *Adam* was created." They want but *honesty* in the respondent. If there is ONE honest man that excuses impressment, let HIM answer.

NOTE.

*Laws of Great Britain on the subject of naturalization.*

"And for the better encouraging of foreign mariners and seamen, to come and serve on board ships belonging to the kingdom of Great Britain; be it further enacted by the authority aforesaid, That every such foreign mariner or seaman, who shall from and after the said 25th day of April, have faithfully served on board her majesty's ships of war,, or any privateer, or merchant or trading ship or ships, vessel or vessels, which at the time of such service shall belong to any of her majesty's subjects of Great Britain, for the space of two years, shall, to all intents and purposes, be deemed and taken to be a natural born subject of her majesty's kingdom of Great Britain, and have and enjoy all the privileges, powers, rights and capacities, which such foreign mariner, or seaman, could, should, ought to have had and enjoyed, in case he had been a natural born subject of her majesty, and actually a native within the kingdom of Great Britain."—(6 *Anne*, c. 37, *sec.* 30.

"By statute 13, Geo. 2, c. 3, every foreign seaman who in time of war serves two years on board an English ship by virtue of the king's proclamation, is *ipso facto* naturalized under the like restrictions as in 12 W. 3, c. 2: (which statute of W. merely prohibits such naturalized foreigner from being a member of the privy council or of parliament, and from having grant of lands from the crown)—and by statute 13, Geo. 2, c. 7, 20. Geo. 2, c. 44, 22. Geo. 2, c. 45, 2. Geo. 3, c. 25 and 13. Geo. 3. c. 25, all foreign protestants and Jews, upon their residing seven years in any of the American colonies, without being absent above two months at a time, and all foreign protestants serving two years in a military capacity there, or being three years employed in the whale fishery, without afterwards absenting themselves from the king's dominions for more than one year, and none of them falling within the incapacities de-

‖ See proceeding in the British parliament, June 13, 1811, wherein it is shewn that in their merchants' service, in the year 1810, there were employed but 34,000 British seamen, and 58,000 "foreign" seamen.

clared by a statute 4, Geo. 2, c. 21, shall be (upon taking the oath of allegiance and supremacy, or in some cases making an affirmation to the same effect) naturalized to all intents and purposes as if they had been born in this kingdom; except as to sitting in parliament or being of the privy council and holding offices or grants of land, &c. from the crown within the kingdom of Great Britain and Ireland. By statute 26, Geo. 3, c. 20, s. 34, 27, 28 and 29. Geo. 3, c. 20, s. 25, every foreigner who has established himself and family in Great Britain and carried on the whale fishery and imported the produce thereof for the space of five years successively, is declared to be entitled to all the privileges *of a natural born subject.*

For the first paragraph we are indebted to the remarks of a master writer in the Boston Patriot. The others were collected by the editor of the Pennsylvania Republican, who handsomely observes——

"The terms of naturalization are different in Great Britain and the United States; but the principles are the same. If Great Britain naturalizes and protects foreigners, how can she deny the United States the same right."

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TO THE PATRONS OF THE

## WEEKLY REGISTER.

The frequent want of room to insert and preserve all that is due to the political and civil history of these eventful times, induced the editor, in his last number, to say, that an important proposition would be submitted to his readers in the present sheet.* But previous to entering upon this matter, he wishes it clearly understood, *that no step will be taken to jeopardize the liberal support the existing plan of publication receives; nor shall an alteration take place but upon the most unequivocal testimony that a* LARGE MAJORITY *of the friends of the work are in favor of the procedure.*

It has often been desired by distinguished gentlemen in many parts of the United States, that the REGISTER should have such an increase of matter as to take in, in *detail*, all that is comprehended in its plan. Partially to effect this, the editor procured a very costly *small type*, which is set up at a heavy additional expence; but this type is so much objected to, that the disposition to give the matter is always at variance with the inclination to gratify those who wish it excluded, because they cannot read it with satisfaction: and the fact is, that little more than half of the articles are, or can be inserted, which are deemed necessary to *complete* and *fill up* the various purposes to which which the work is devoted.

It has, therefore, been suggested, that two sheets, or, at least, a sheet and a half *per week*, should be issued, with a proportionate advance in the cost of the subscription.

*Whereupon it is proposed,* A LARGE MAJORITY OF THE FRIENDS OF THE REGISTER AGREEING THERETO, AS AFORESAID, that, *at least* a *sheet and a half*, on the *average*, shall be published *weekly*, making *two* volumes *per annum* as heretofore, and the subscription be *seven* instead of *five* dollars a year, in advance.

This additional space would enable the editor to insert *all* the [interesting] *laws* of the United States, and of the several states; *many documents, speeches* and *debates; foreign official papers* and *proceedings*; and a mighty *mass of matter* that now is, and otherwise must needs be, reluctantly omitted. *The present plan of the work will be rigidly observed, nor shall any material alteration be made, except in the number of pages issued in a year, and the price required for them.* And, though, in general, a sheet and a half will be published weekly, the right must be reserved of sometimes issuing two sheets, or even more, at a time, provided that it shall appear advantageous to do so; and of course, of omitting the general additional half-sheet, so as to bring the whole to its proper average. But *extra*, or *gratuitous numbers*, shall be published as hitherto.

*In point of economy*, this plan will probably be approved by those who receive the REGISTER as a book of *record* and *reference*, the charge for *binding* will be but little, if any, enhanced; and, on the whole, the *two* volumes *per annum*, containing the usual matter of THREE, will cost about *one dollar and twenty five cents* less, than that matter would do as published at present.

The editor freely confesses that this proposition is thrown out for the consideration of his friends, rather to gratify others than of his own will; for the increased labor and responsibility is not seen without apprehension and dread. But if such is the will of the patrons of the REGISTER, the attempt shall be made; and arrangements entered into to preserve the flattering reputation the work now enjoys.

The present volume will end with *February next.* To try the opinion of his readers, the editor will with next week, or as soon as may be, transmit to his agents proposal papers on which they will be invited to enter their *ayes* and *noes*, as speedily as they can. If the "*ayes* have it" by a GREAT MAJORITY OF ALL THE SUBSCRIBERS, the change will be made; if *otherwise, no alteration can or will be attempted.* Those neglecting their assent will be counted as in the negative.

* This proposition was designed to have been inserted in the last number, but prevented by the indisposition of the editor.

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## GLORIOUS POSTCRIPT

The editor has just received a letter from his friend at *Nashville*, Ten. communicating many particulars of an action between gen. *Jackson* and the British allies, the *Creek Indians*, fought on the 7th ult. in which the enemy was completely defeated with the loss of two hundred and seventy eight killed.—It was supposed many more were slain that had not been found, on account of the high grass that covered the field of battle. The Indians were 1100 strong and engaged in besieging a fort of *Friendly Indians*, who on being released were ready to join their forces with ours. We had 15 men killed and 84 wounded, generally slightly. The battle was fought at Telledega, about 30 miles from the Hickory ground. Among the trophies of victory was a standard bearing the Spanish cross! Particulars hereafter.

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A "British official" on the battle that Boyd had with the enemy, is received. It states that they defeated a force exceeding 4,000 men, and made 400 prisoners.

Letters from Plattsburg dated Nov. 21, say that *Hampton* had received orders to join Wilkinson at French Mills.

Letters from New-York announce the receipt of intelligence from Halifax which state, that in a dreadful gale of wind at that place, the La Hogue 74 and Atalanta sloop of war were totally lost; and that *all* the vessels in port, except three were driven on shore, among them the St. Domingo 74.

We have Bordeaux accounts to the 20th October. Nothing new. The French still remain at *Dresden*, evidently preparing for some great enterprize. A new conscription of 280,000 men had been levied, and 30,000 men were marching into Spain.

# THE WEEKLY REGISTER.

No. 15 of vol. V.] BALTIMORE, SATURDAY, December 11, 1813. [Whole no. 119.

*Hæc olim meminisse juvabit.*—Virgil.

Printed and published by H. Niles, South-st. next door to the Merchants' Coffee House, at $ 5 *per annum.*

## Mr. Giles
## TO THE PEOPLE OF VIRGINIA.

*From the Virginia Argus.*

No. I.

It has not been usual with me to address you, fellow-citizens, upon the state of your public concerns; because I had heretofore believed, that the publication of the acts of your government, together with the conduct of the respective public agents concerned therein, would alone be sufficient to enable you properly to estimate both. In ordinary times, I still presume, this would be the case. But the present extraordinary crisis, has called into action the public sensibility in an extraordinary degree, and given rise to an unusual number of pretenders to public favor and support. These professed devotees to your interests, availing themselves of this state of things with an unusual activity and zeal, through the medium of the public prints, have so confounded truth and falsehood; and so misrepresented or disguised the principles and motives of such of your representatives, as they consider obnoxious to their views; that it requires more than an ordinary degree of attention to form a correct judgement upon public affairs, and upon the merits or demerits of those engaged in their administration. The easy accessibility to the printing presses, through anonymous disguises, has enabled these spurious patriots, to practise with success upon the public credulity, and thus to effect their own selfish purposes; when, if stripped of these disguises, instead of the disinterested patriots exclusively devoted to your interests, and forgetting his own, you would often find, concealed beneath the veil, the ambitious demagogue intent exclusively upon his own personal aggrandizement at your expence; or the unprincipled parasite, prostituting the efforts of his mind for the advancement of his patron to gain his daily bread; being too lazy to obtain it by honester means.

The object of this address, therefore, will be, to dissipate all these false disguises, and present to you the real state of the facts and the case connected with some of the most important of the recent measures of the government, and to explain as far as I have had any in them, the real principles and motives of my own conduct. It might reasonably be expected that this alone would be sufficient to exempt them from all the malicious and stupid imputations, which have lately been thrown against them before the public and certainly would be so, if the public mind *now* formed an impartial tribunal. But I do not flatter myself with so fortunate a result. Because from the artifices I have already described, and from other concurring causes, prejudices and resentments have certainly been excited to a considerable degree; and, when the passions and prejudices of the best of men are once fully brought into action, the voice of truth and reason is raised in vain. It is like the eloquence of philosophy and fortitude, addressed to hungry stomachs in time of famine. It is not heard, and of course not regarded. Stomachs have no ears; as destitute of ears for the reception of truth and reason, are the passions and prejudices of mankind. Notwithstanding the influence of the conviction, I have deemed it my duty to you, after much reflection, to furnish you with the means of judging correctly in these important respects. It is a duty I owe also to myself, to explain the principles and motives of my conduct, whatever be the reception or the consequences of such explanation. Another motive has great influence with me for this proceeding. It is the high respect I feel for the opinions of posterity. It is the love of future fame; at least so far, as it regards honorable feeling, and purity of motive. If the names of those who have lately been engaged in conducting the momentous concerns of this country, should be handed down to posterity, as certainly they will be; how important is it to every one concerned, who feels this passion, that posterity should be furnished with the means of judging rightly? because, when these are afforded, posterity being always impartial and just, will always render a right verdict, and pronounce a right judgment. Time, and very little time, too, will sweep from this earth, the present generation, with all its busy, angry, transitory passions, so highly excited, at this time, by the peculiarly agitated state of the world; and then, and not till then, will the actions of those now engaged in directing the destiny of nations, be seen in their true light! and sentence upon the character of each individual pronounced accordingly.

But before I enter upon the particular topics of this address, I wish to promise, if, in the course of it, it should appear, as it will appear, that differences of opinion, and differences of no inconsiderable magnitude, have existed between the administration and myself, upon some of the most important points of policy adopted by the government; it is far from my intention, for that cause, to criminate the administration; and still less, the president of the United States individually. I wish such differences to be ascribed, as I am sure they ought to be ascribed, solely to the infirmities of our nature; which are in a greater or less degree, common to all men; and by no means to improper motives on either part. Few men of the United States have had more opportunities of judging of the motives of the president, than myself; and these opportunities have, at all times, assured me of their unsullied purity; nor is there any man who would derive more pleasure from bearing this honorable testimony in his favor to the world, upon all proper occasions.—But notwithstanding my habitual confidence in the purity of his motives, and my respectful deference for his opinions, I cannot make an unhallowed sacrifice of the convictions of my own judgment at the shrine of those sensibilities, nor eulogize, nor support measures affecting the best interests of my country; which, after the most diligent exercise of the faculties of my own mind, I conscientiously believe to be founded in errors: merely because, I believe at the same time, those errors, to be unintentional, especially when I well know that the effects of such errors upon society will in no respect depend upon the good or evil motives which dictated them. I would also remark, that in examining and judging of the measures of the president, it is but common justice to him, always to recollect, that he has been

called to the administration of the government, under circumstances presenting the most unexampled difficulties. Difficulties arising from internal, as well as external causes, and both equally beyond his control; and, therefore, his measures ought to be viewed with the most liberal indulgence; even by those who confidently fancy they see in them unfortunate aberrations from the true interests of his country. Nor do I believe, amidst all his surrounding difficulties, that the president has received that assistance, from what is generally called his cabinet, which at other times, and under other circumstances, might have been expected from it. Its organization, at this time, I believe to be peculiarly unfortunate. Nor do I believe, that his genuine original views of the national interests, have been at all improved, by the intrusions of other self created advisers.

Amidst so many embarrassments, too liberal allowances for unintentional errors cannot be indulged. In this spirit of liberal indulgence, and with no other object in view than the discovering of truth, I shall proceed to execute the task before me. In doing so, I propose to invert the order of time, by bringing first to your consideration topics of more recent dates, and these will probably throw back our reflections to others, more remote in point of time, but not less interesting in point of character—Let me then first call your attention to the message of the president, nominating Mr. Russell, to be minister plenipotentiary to Sweden, and the proceedings of the senate thereupon.

The message is as follows.

*Monday, May* 31.—The following written message was received from the president of the United States, by Mr. Graham.

*To the Senate of the United States.*

The Swedish government having repeatedly manifested a desire to interchange a public minister with the United States, and having lately appointed one with that view, and other considerations concurring to render it advisable at this period to make a correspondent appointment, I nominate Jonathan Russ l, of Rhode Island, to be minister plenipotentiary of the United States to Sweden.

JAMES MADISON.

*May* 29, 1813.

Circumstances, which it is not necessary to mention here prevented me from taking my seat in the senate, till about the fourth of June; the senate had previously adopted the following resolution, amongst other proceedings in relation to the message:

*Resolved*, That the president of the United States be requested to cause to be laid before the senate the correspondence which may have passed between the United States and the king of Sweden respecting the interchange of public ministers between the said governments.

The reply to which was laid before the senate on the 7th in the following words:

The secretary of state, to whom was refered the resolution of the senate of the third instant, requesting the president to cause to be laid before the senate the correspondence which may have passed between the United States and the king of Sweden, respecting the interchange of public ministers, has the honor to report to the president, that no direct correspondence has taken place on the subject.

In reference to the object of the resolution, the secretary of state, submitted several extracts of letters from Mr. Speyer, consul of the United States at Stockholm, and a letter from Mr. Beasley, commissary of prisoners at London, by which the wishes and intentions of the Swedish government in relation to the interchange of ministers, have been made known to this department.

Respectfully submitted,

JAMES MONROE.

*Department of State, June* 7, 1813.

In this stage of the business it become my duty to enter into the consideration of the subject.

It will not escape observation, that this report disclaims all direct communications between the two governments respecting the interchange of public ministers. The desire of Sweden in that respect is stated to be contained in the extracts accompanying the report of correspondences from our consul at Stockholm, and our commissary of prisoners at London. Upon examination, it will be found that the terms of the president's message are somewhat peculiar in several respects. They profess to intend to make a "correspondent appointment," on the part of the United States with the one already made on the part of Sweden; and they contain some intimation of an intention to invest our minister with powers for some objects, without specifying the precise powers to be given, or the objects to be effected by them. These circumstances produced some difficulties in expounding the real objects of the nomination, which were rather increased, than lessened, by the report of the secretary of state. The correspondence disclosed by that report ascertained a fact, which before was only conjecture, that the public minister appointed on the part of Sweden was not of equal grade with the one nominated on the part of the United States; and of course, such nomination could not carry into effect the professed object of the message, to wit: "to make a correspondent appointment," equality in grade being deemed an essential requisite, to render the appointments correspondent. But the message at the same time informs the senate, that there were "*other considerations* concurring to render it advisable *at this period* to make a *correspondent appointment*." Mr. Russell is therefore nominated "*minister plenipotentiary*" and not *minister resident, corresponding* with the character of the Swedish minister actually appointed to the United States. There is not only a difference in the grade and compensation, between a minister resident, and a minister plenipotentiary, the one from the United States being entitled to receive a sum not exceeding 6,000 dollars outfits, and 6,000 per annum, the other 9,000 dollars outfits and 9,000 per annum, at the discretion of the president; but the most important difference consists in this consideration—that the one is a mere formal complimentary minister, the other is an efficient, operative one—the one, is usually without powers for any material objects; the other, is usually invested with powers for material objects. The real policy and objects of this nomination, therefore, must be looked for in words "*other considerations concurring to render it advisable at this period, to make a correspondent appointment.*" The terms "other considerations" are vague and indefinite. They do not conduct the mind to any precise objects or results; yet in the estimation of the president, the objects comprehended in them could be of no inconsiderable magnitude, when they furnished sufficient inducement to him, not only to reciprocate the diplomatic civilities, asked for on the part of Sweden, but to supersede them.

It was not possible from these terms, for the senate to comprehend with sufficient practical certainty the real policy or objects of this nomination; and yet some understanding of them seemed essential to its proper deliberations on the subject. Its difficulties in that respect were rather increased, by referring to the extracts of the correspondence laid before it. For from them it appeared, that the origina

intention of Sweden, was, to send only a charge des affairs, to the United States, the lowest grade of public ministers; and that this intention was afterwards changed solely for the accommodation of the person appointed. An intimation was also contained in an extract of a letter from Mr. Speyer our consul at Stockholm, of the 25th September, 1812, in the following words:

"The prince royal informed me the 4th instant, that he had directed Mr. Kantzow to represent to the English government his desire to see a good understanding restored with the United States."

Which gave the transaction a character of peculiar interest and delicacy; whilst it threw no certain light upon the real objects of the nomination. In this state of uncertainty and embarrassment, feeling no small solicitude to act understandingly upon a subject involving so many considerations, on the 14th of June, after mature deliberation, the senate passed a resolution, requesting a respectful conference with the president upon the subject of the nomination; the evident object of which was to obtain from him information of his real inducement to the measure. After several assignations to receive the committee of conference, the president by message of the 6th July, directed to the senate, declined the proposed conference altogether. These proceedings require and shall receive a distinct consideration. The president having thus substantially refused to explain to the senate the real object of the nomination, it was of course left to its own reflections and conjectures upon the subject, with such lights as it otherwise possessed. For it cannot escape the observation of the attentive reader, that although the president in his message tenders to the senate, "the *suitable information* in the possession of the executive," he gives no intimation of a disposition to explain, formally or informally, the real objects or policy covered by the expressions, "*other considerations concurring to render it advisable at this period* to make a correspondent appointment," &c. &c. The term "*information*," relates exclusively to facts. It is often called for by resolution. The term "considerations," relates exclusively to opinions. They are never intentionally called for from the president by resolutions on account of its evident indecorum. The senate being thus left to itself with this diplomatic puzzle to unravel, commence the perplexing duty by endeavoring to ascertain what considerations other than a desire to reciprocate diplomatic civilities with Sweden, could, *at this period*, have induced the president to nominate a minister plenipotentiary on the part of the United States in exchange for a minister resident on the part of Sweden.

With such information as I possessed after the best reflections I could bestow upon the subject, essentially enlightened too by the judicious reflections of other members of the senate, I could conceive of no considerations which did not relate to one of the following objects: either the interposition of the good offices of Sweden to obtain peace with Great Britain, as auxiliary to the Russian mediation, was thus to be solicited on the part of the United States; or the personal accommodation of Mr. Russell was thus to be consulted; it being known that he was unwilling to accept the appointment of minister resident. Would either of these considerations justify this diplomatic eccentricity in our foreign intercourse? The first of these considerations gave to the transaction a character deeply interesting to the nation in many points of view. The second was of subordinate importance. It either presented a general change upon a point of policy held sacred by the government from its commencement, to wit: not to extend *political connections in Europe*, nor multiply diplomatic agencies there, especially with the minor powers; or some special and great object of a temporary nature to be effected "at this period." The first of these objects suggests so many delicate considerations towards the minor powers of Europe, that it will be passed over with only a few general remarks. The unfortunate geographical position of the few remaining powers of this description, in the neighborhood of the great powers on the continent of Europe, and the weakness of the one, compared to the strength of the other, necessarily subject the one, without the smallest imputation upon the government, at all times in some degree to the influence of the other—of course it is impossible in the nature of things that a permanent, distinct, and independent political connection can be established between the United States* and any one of these minor powers. A political agent at any one of them, therefore, would having nothing to do, and it is generally found, that one placed abroad with nothing to do, will find business for himself by doing mischief. At least it furnishes him with an inducement to do so, as he will readily conclude that his place will not be of long continuance without something to do. Instead of a general change in this point of policy, therefore, its propriety is sanctioned by both experience and reflection.

If then the object was of a temporary character, and consisted in the policy of soliciting the interposition of Sweden, as auxiliary to the mediation of Russia, for the purpose of obtaining peace with Great Britain, it becomes a question deeply interesting to the power and dignity of the United States, to determine, whether on the 9th day of July last that policy ought to have been adopted by the United States—that being the day on which the senate resolved, "That it is inexpedient at this time to send a minister plenipotentiary to Sweden."

In examining this question I shall impose great restraints upon myself, lest I might unintentionally be betrayed into expressions which might possibly be construed into a want of respect to the course of policy attributed to the president of the United States. Let me then entreat you, fellow-citizens, to reflect and determine for yourselves, whether, under the circumstances existing on the 9th of July last, the solicitation of Sweden to interpose her good offices in co-operation with Russia to obtain peace with Great Britain, would have promoted the dignity, the honor or the interest of the United States? Would it have had any tendency to procure peace? On the other hand, might it not have had some tendency to defeat its own object? It should be recollected, that whether the mediation of Russia was offered of her own voluntary motion or not, it was *by that day* clearly ascertained that it was not sought for by Great Britain; and it was then believed that the overture was cooly received by her, and if not promptly rejected was certainly not promptly accepted. What benefit then could be ra-

* A commercial connection has for a long time existed between the United States and Sweden. This has no relation to a political connection. It is superintended by consuls, who are commercial and not political agents. These depend upon their official perquisites from commerce for their compensations. No fixed salaries are allowed them by government. Political agents are allowed fixed salaries. In the present state of our commerce with Sweden might not Mr. Speyer prefer a political to a commercial agency! It appears from his correspondence, that he declines presenting his consulate credentials, until the point of a political connection with Sweden should be settled in the United States.—*Cui Bono?*

ionally expected by soliciting the auxiliary interposition of Sweden? Might it not produce injurious consequences? When Great Britain had manifested so little respect for the mediation of Russia, would the solicitude of the United States to enlist another power of comparatively subordinate influence in the measures, increase the respect of Great Britain for the United States? What inference would naturally be drawn from such a proceeding by Great Britain and by every other power in Europe? Certainly an unbecoming solicitude for peace, and an astonishing instability in carrying on a war recently proclaimed by the United States. Would impressions like these be likely to produce in Great Britain a disposition for peace? Would they not rather induce her to conclude that the United States were laboring under some unknown incapacity to conduct the war, and thus encourage her to prolong it for the purpose of developing their embarrassments, and finally to reduce them to submission? And would not her mistaken views of the state of public sentiment in this country upon the subject of the war, enforce this conclusion? Recollect the taunting reply of lord Castlereagh to the overture for peace made by the president a few days after the declaration of war, and no doubt will be left on the subject. Besides, what persuasives could Sweden address Great Britain which could possibly influence her to change her own views of her own maritime rights? What impressions could such a proceeding be likely to make on the government of France? Recollect her late and present relation with Sweden and the answer to the question is obvious. This part of the subject, however, will not be further pressed. These general points are intended to show the general course of reflections which influenced my conduct on the occasion, and to suggest to others all additional and consequential considerations belonging to it. Its peculiar delicacy forbids a more particular development.

If, then, the senate did believe, that this measure flowed from the amicable solicitude of the president to obtain peace, and that, under existing circumstances, it could not have had that tendency, but might have an opposite one, and be at the same time attended with other injurious consequences, was it not bound by the highest constitutional injunction to prevent its adoption? If, however, the senate when left to conjecture, should have mistaken the real views and objects of the president in this respect, as I sincerely hope it did, and if the higher office should have been conferred on Mr. Russell for his personal accommodation without any reference to eventual powers or objects, as was the case with the Swedish government and Mr. Kantzow what more proper reply could the senate have made to the president, than it did make? What course could be more respectful to him, or less injurious to the feelings of Mr. Russell, to wit—that it is *at this time* inexpedient to send a *minister plenipotentiary* to Sweden. Offices in this country, are public property, and intended for public use, and not for personal benefit, and if Mr. Russell could not find it convenient to accept the office the public interest required, in my judgment the senate could not have been justified *in advising* the president to make one for his personal accommodation, which the public interest did not require. If the president had thought proper to reciprocate on equal terms the diplomatic civilities of Sweden and had nominated Mr. Russell for the mission, although its utility in other respects might have been questioned by some, I do not believe there would be in the senate one solitary objection to the measure, nor to the person nominated. I certainly entertained the most respectful consideration for Mr. Russell personally, and would have taken great pleasure in testifying it, by voting for him upon any proper occasion; but I never can permit my personal respects for any individual to carry me so far as to disregard in his favor, solemn duties imposed on me by my official station. Besides, the resolution of the senate did by no means preclude, the president, from nominating a minister resident to Sweden corresponding with the one sent here on her part. Why this was not done, is not for the senate, nor for me to enquire. It rests solely upon his own discretion. Nor can the vote on this occasion be considered as being influenced in any great degree, by party feelings, as will appear by the ayes and noes below. Upon the whole, I have now exposed to you the real history of this transaction which influenced my conduct on the occasion, and I have only to remark that its prospect, affords me much consolation. WM. B. GILES.

*Wigwam, October* 20, 1813.

FRIDAY, July 9.—The senate resumed the consideration of the nomination of Jonathan Russell, of Rhode-Island, to be minister plenipotentiary to Sweden, together with the motion of Mr. Goldsborough, under consideration yesterday, thereon: and on the question to agree to the motion, it was determined in the affirmative—ayes 22, noes 14, as follows:

AYES—Messrs. Anderson, Bibb, Bledsoe, Brown, Dagget, Dana, Fromentin, Gaillard, German, Giles, Gilman, Goldsborough, Gore, Horsey, Hunter, King, Lacock, Lambert, Leib, Mason, Stone, Wells—22.

NOES—Messrs. Brent, Bullock, Campbell, Condit, Howell, Morrow, Robinson, Smith, Tait, Taylor, Turner, Varnum, Worthington—14.

*Resolved*, That it is inexpedient at this time to send a minister plenipotentiary to Sweden.

## Catholics of Ireland.

DUBLIN, June 26.

"*To the honorable the House of Commons in parliament assembled,*

"We, the Roman Catholic people of Ireland, again approach the legislature with a statement of the grievances under which we labor, and of which we most respectfully, but, at the same time, most firmly, solicit the *effectual* redress. Our wrongs are so notorious, and so numerous, that their minute detail is quite unnecessary, and would indeed be impossible were it deemed expedient. Ages of persecution on the one hand, and of patience on the other, sufficiently attest our sufferings, and our submission.—Privations have been answered only by petition—indignities by remonstrance—injuries by forgiveness. It has been a misfortune to have suffered for the sake of our religion, but it has also been a pride to have borne the best testimony to the purity of our doctrine by the meekness of our endurance. Like the great type of our adoration, we have not merely been the passive victims of unjust infliction, but we have even endeavored to expiate the cruelty of our oppressors. We have sustained the power which spurned us—we have nerved the arm that smote us—with a gratitude always superior to our privileges, we have lavished our strength, our talent, and our treasuries, and buoyed upon the prodigal profusion of our young blood, the triumphant ark of British liberty.

"We approach then, with confidence, an enlightened legislature. In the name of NATURE, we ask our rights as MEN—in the name of the CONSTITUTION, we ask our privileges as SUBJECTS—in the name of GOD, we ask the sacred charter of unpersecuted piety as CHRISTIANS.

"Are securities required of us? We offer them—

the best securities a throne can have—the affection of a people. We offer faith that was never violated—Hearts, that were never corrupted—Valor, that never crouched. Every hour of *peril* proved our allegiance, and EVERY FIELD OF EUROPE EXHIBITS ITS EXAMPLES.

"We abjure all *temporal* authority except that of our SOVEREIGN—we acknowledge no *civil* tie, save that of our CONSTITUTION—and for our lavish and voluntary expenditures, we only ask, a reciprocity of benefits.

"Separating, as we do, our *civil* rights from our *spiritual* duties, we earnestly desire that they may not be confounded. We "render unto Cæsar the things that are Cæsar's,"—but we must also "render unto God the things that are God's." Our church could not descend to claim a state authority, nor do we ask for it a state aggrandizement; its hopes, its powers, and its pretentions, are of another world; and when we raise our hands to the state, our prayers is not that the fetters may be transferred to those hands which are raised for us to Heaven. We would not erect a splendid shrine even to liberty on the ruins of the temple.

"In behalf then, of five millions of a brave and an insulted people, we call on the legislature to annihilate the odious bondage which bows down the mental, physical and moral energies of Ireland: and in the name of that gospel, which excludes all distinctions, we ask freedom of conscience for the whole christian world."

Mr. Charles Philips having been declared the author of this composition, several members spoke highly in his praise; and Mr. O'Conner moved the following resolution:

"That the heartfelt gratitude of the Catholic board be presented to the splendid and patriotic friend of Ireland, Charles Philips, Esq. barrister at law, for the exertions by which he has served and ornamented the cause of our common country."

This vote of thanks, was passed with acclamation.

## Banking capital of New-York,

DECEMBER, 1813.

We are indebted for the following to the [Newburg] *Political Index*.

CHARTERED BANKS IN THE STATE OF NEW-YORK.

| | | *Capital.* |
|---|---|---|
| *New-York*, | Bank of New-York, | $ 1,050,000 |
| | Bank of America, | 4,000,000 |
| | City Bank | 2,000,000 |
| | Manhattan Bank, | 2,000,000 |
| | Merchants' Bank, | 1,250,000 |
| | Mechanics' Bank, | 2,000,000 |
| | Manufacturing Co. | 750,000 |
| | Union Bank, | 1,800,000 |
| *Newburgh*, | Bank of Newburgh, | 400,000 |
| *Goshen* | Orange County Bank, | 400,000 |
| *Poughkeepsie*, | Middle district Bank, | 500,000 |
| *Hudson*, | Bank of Columbia, | 160,000 |
| | Bank of Hudson, | 300,000 |
| *Cattskill*, | Cattskill Bank, | 400,000 |
| *Albany*, | Bank of Albany, | 280,000 |
| | Farmers' and Mechanics' | 600,000 |
| | State Bank, | 460,000 |
| *Troy*, | Farmers' Bank, | 300,000 |
| | Troy Bank, | 500,000 |
| *Lansingburgh*, | Bank of Lansinburgh, | 200,000 |
| *Schenectady*, | Mohawk Bank, | 200,000 |
| *Utica*, | Bank of Utica, | 800,000 |
| *Canandaigua*, | Ontario Bank, | 500,000 |
| | | $ 20,850,000 |

In giving charters to banks, the state has, in several instances, reserved the right of subscribing a certain number of shares, some part of which is already subscribed, and when completed, will add to the above amount, about 810,000

Total of chartered bank capital. $ 21,660,000

The Manhattan has 2 branches at Poughkeepsie and Utica—the Middle District Bank has one at Kingston—the Bank of Troy has one at Waterford—and the Bank of Hudson has one at Coxsackie and one at Athens.

The banks are allowed to issue paper to three times the amount of their capital.

Notices have been given *of intended applications* to the legislature for the establishment of eight more banks, with an aggregate capital of $7,700,000—and a number of other applications it is suggested will be made!

## Banking capital of R. Island.

| | |
|---|---|
| Providence, | $ 450,000 |
| Rhode-Island, | 100,000 |
| Exchange, | 400,000 |
| Bristol, | 120,000 |
| Washington | 50,000 |
| Warren, | 85,000 |
| Smithfield, | 60,000 |
| Newport, | 120,000 |
| Roger Williams, | 150,000 |
| Rhode-Island Union, | 200,000 |
| Rhode-Island Central, | 60,000 |
| Narragansett, | 50,000 |
| Commercial, | 50,000 |
| | $ 1,895,000 |

Banks 13; capital $ 1,895,000; bills in circulation 769,922; specie 689,981 44; bills of other banks 245,273 16; deposites 1,092,260 17; deposited in other banks 329,212 02; debts due the banks 2,486,668 34. The foregoing is from an official report.

## French Finances.

The accounts of the French empire for the year 1811, printed in 1813, give the following results.

RECEIPTS FROM GENERAL FUNDS.

General receipts into the imperial treasury for 1811.

| | | *Francs* |
|---|---|---|
| Direct taxes, | | 263,928,089 |
| Public Demains, | Produce, | 41,592,354 |
| | Woods, | 2,961,336 |
| Ordinary duties, | | 64,836,017 |
| Duty on salt, | | 37,281,248 |
| Extraordinary duties, under decree 22d July, 1810, | | 14,091,825 |
| Lottery, | | 13,952,607 |
| Post office, | | 7,971,597 |
| Property redeemed or restored, | | 112,543,892 |
| Salt and tobacco, duties beyond the Alps, | | 4,650,000 |
| Salt works, | | 3,090,000 |
| Money, | | 1,490,519 |
| Exterior receipts of Italy, | | 30,000,000 |
| Incidental receipts, | | 2,105,423 |
| Temporary contributions of the Mouths of the Rhine and Scheldt, | | 3,312,552 |
| Holland, | | 47,[illegible]373 |
| Illyria, | | 8,530,388 |
| Hamburg, and the Hanseatic departments, | | 14,616,911 |
| Anticipations for 1812, | | 7,479,033 |
| Total, | | *Francs* 681,432,863 |

SPECIAL FUNDS.

| | | |
|---|---|---|
| Additional tenths, | *Francs* | 35,495,339 |
| Proceeds of roads, canals and bridges, | | 5,334,818 |
| Proceeds of effects taken in the military service | | 11,962,649 |
| Funds derived to the treasury from exterior sources, | | 1,593,369 |
| Proceeds of effects in the marine service, | | 1,975,804 |
| Proceeds of mines, | | 259,131 |
| Duty on Neapolitan cottons, | | 657,085 |
| Revenues of the Hanseatic departments, of the county of Lippe, Illyria, and Holland, | | 977,213 |
| Funds not directly recovered by the treasury, | | 10,144,264 |
| Funds in the caisse d'amertisment, | | 305,000 |
| Publication of the bulletin of laws, | | 221,469 |
| Resources. Special, | | 68,826,132 |
| General, | | 681,432,862 |
| General total revenue, 1811, | *Francs* | 750,258,994 |

# President's Message.

*On the 7th inst. at 12 o'clock, the President of the United States transmitted the following message to both houses of congress, by Mr. Coles his secretary.*

Fellow citizens of the Senate,
and of the House of Representatives,

In meeting you at the present interesting conjuncture, it would have been highly satisfactory if I could have communicated a favorable result to the mission charged with negociations for restoring peace. It was a just expectation from the respect due to the distinguished sovereign who had invited them by his offer of mediation, from the readiness with which the invitation was accepted on the part of the United States, and from the pledge to be found in an act of their legislature for the liberality which their plenipotentiaries would carry into the negotiations, that no time would be lost by the British government in embracing the experiment for hastening a stop to the effusion of blood. A prompt and cordial acceptance of the mediation on that side was the less to be doubted as it was of a nature not to submit rights or pretensions on either side to the decision of an umpire, but to afford merely an opportunity, honorable and desirable to both, for discussing, and if possible adjusting them, for the interests of both.

The British cabinet, either mistaking our desire of peace for a dread of British power, or misled by other fallacious calculations, has disappointed this reasonable anticipation. No communication from our envoys having reached us, no information on the subject has been received from that source.—But it is known that the mediation was declined in the first instance, and there is no evidence, notwithstanding the lapse of time, that a change of disposition in the British councils has taken place, or is to be expected.

Under such circumstances, a nation proud of its rights, and conscious of its strength, had no choice but an exertion of the one in support of the other.

To this determination, the best encouragement is derived from the success in which it has pleased the Almighty to bless our arms, both on the land and on the waters.

Wints proofs have been continued of the enterprize and skill of our cruizers, public and private, on the ocean, and a new trophy gained in the capture of a British by an American vessel of war, after an action giving celebrity to the name of the victorious commander; the great inland waters, on which the enemy were also to be encountered, have presented achievments of our naval arms, as brilliant in their character as they have been important in their consequences.

On lake Erie the squadron under the command of captain Perry, having met the British squadron of superior force, a sanguinary conflict ended in the capture of the whole. The conduct of that officer, adroit as it was daring, and which was so well seconded by his comrades, justly entitles them to the admiration and gratitude of their country; and will fill an early page in its naval annals, with a victory, never surpassed in lustre, however much it may have been in magnitude.

On lake Ontario, the caution of the British commander, favored by contingencies, frustrated the efforts of the American commander to bring on a decisive action. Captain Chauncy was able, however, to establish an ascendancy on that important theatre; and to prove, by the manner in which he effected every thing possible, that opportunities only were wanted, for a more shining display of his own talents and of the gallantry of those under his command.

The success on lake Erie having opened a passage to the territory of the enemy, the officer commanding the north-western army transferred the war thither; and rapidly pursuing the hostile troops fleeing with their savage associates, forced a general action, which quickly terminated in the capture of the British, and dispersion of the savage force.

This result is signally honorable to major-general Harrison, by whose military talents it was prepared; to col. Johnson and his mounted volunteers, whose impetuous onset gave a decisive blow to the ranks of the enemy; and to the spirit of the volunteer militia equally brave and patriotic, who bore an interesting part in the scene; more especially to the chief magistrate of Kentucky at the head of them, whose heroism, signalised in the war which established the independence of his country, sought at an advanced age, a share in hardships and battles, for maintaining its rights and its safety.

The effect of these successes has been to rescue the inhabitants of Michigan from their oppressions aggravated by gross infractions of the capitulation which subjected them to a foreign power; to alienate the savages of numerous tribes from the enemy, by whom they were disappointed and abandoned; and to relieve an extensive region of country from a merciless warfare which desolated its frontiers, and imposed on its citizens the most harrassing services.

In consequence of our naval superiority on lake Ontario, and the opportunity afforded by it for concentrating our forces by water, operations which had been previously planned, were set on foot, against the possessions of the enemy on the St. Lawrence.—Such, however, was the delay produced, in the first instance, by adverse weather of unusual violence and continuance, and such the circumstances attending the final movements of the army, that the prospect, at one time so favorable, was not realized.

The cruelty of the enemy, in enlisting the savages into a war with a nation desirous of mutual emulation in mitigating its calamities, has not been confined to any one quarter. Wherever they could be turned against us, no exertions to effect it have been spared.——On our south-western border, the Creek tribes, who, yielding to our persevering endeavors, were gradually acquiring more civilized habits, became the unfortunate victims of seduction. A war in that quarter has been the consequence, infuriated by a bloody fanaticism, recently propagated among them.

It was necessary to crush such a war before it could spread among the contiguous tribes, and before it

could favor enterprizes of the enemy into that vicinity. With this view a force was called into the service of the United States, from the states of Georgia and Tennessee, which, with the nearest regular troops, and other corps from the Mississippi territory, might not only chastise the savages into present peace, but makes a lasting impression on their fears.

The progress of the expedition, as far as is yet known, corresponds with the martial zeal with which it was espoused; and the best hopes of a satisfactory issue are authorised by the complete success with which a well planned enterprise was executed against a body of hostile savages, by a detachment of the volunteer militia of Tennessee, under the gallant command of general Coffee; and by a still more important victory over a large body of them, gained under the immediate command of major-general Jackson; an officer equally distinguished for his patriotism and his military talents.

The systematic perseverance of the enemy in courting the aid of the savages in all quarters, had the natural effect of kindling their ordinary propensity to war into a passion, which, even among those best disposed towards the United States, was ready, if not employed on our side, to be turned against us. A departure from our protracted forbearance to accept the services tendered by them, has thus been forced upon us. But, in yielding to it, the retaliation has been mitigated as much as possible, both in its extent and in its character, stopping far short of the example of the enemy, who owe the advantage they have occasionally gained in battle, chiefly to the number of their savage associates, and who have not controlled them either from their usual practice of indiscriminate massacre on defenceless inhabitants, or from scenes of carnage without a parallel, on prisoners to the British arms, guarded by all the laws of humanity, and of honorable war.

For these enormities the enemy are equally responsible, whether with the power to prevent them they want the will, or the knowledge of a want of power they still avail themselves of such instruments.

In other respects the enemy are pursuing a course which threatens consequences most afflicting to humanity.

A standing law of Great Britain naturalizes, as it well known, all aliens, complying with conditions limited to a shorter period than those required by the United States; and naturalized subjects, are in war employed by her government in common with native subjects. In a contiguous British province, regulations promulgated since the commencement of the war, compel citizens of the United States, being there under certain circumstances, to bear arms, whilst of the native emigrants from the United States who compose much of the population of the province, a number have actually borne arms against the United States within their limits; some of whom after having done so, have become prisoners of war, and are now in our possession. The British commander in that province, nevertheless, with the sanction, as appears, of his government, thought proper to select from American prisoners of war, and send to Great Britain for trial as criminals, a number of individuals, who had emigrated from the British dominions long prior to the state of war between the two nations, who had incorporated themselves into our political society, in the modes recognized by the law and practice of Great Britain, and who were made prisoners of war, under the banners of their adopted country, fighting for its rights and safety.

The protection due to those citizens requiring an effectual interposition in their behalf, a like number of British prisoners of war, were put into confinement, with a notification that they would experience whatever violence might be committed on the American prisoners of war sent to Great Britain.

It was hoped that this necessary consequence of the step unadvisedly taken on the part of Great Britain would have led her government to reflect on the inconsistencies of its conduct, and that a sympathy with the British, if not with the American sufferers, would have arrested the cruel career opened by its example.

This was unhappily not the case. In violation both of consistency and of humanity, American officers and non-commissioned officers in double the number of the British prisoners confined here, were ordered into close confinement, with formal notice that in the event of a retaliation for the death which might be inflicted on the prisoners of war sent to Great Britain for trial, the officers so confined would be put to death also. It was notified at the same time that the commanders of the British fleets and armies on our coasts are instructed, in the same event, to proceed with a destructive severity against our towns and their inhabitants.

That no doubt might be left with the enemy of our adherence to the retaliating resort imposed on us, a correspondent number of British officers, prisoners of war, in our hands, were immediately put into close confinement, to abide the fate of those confined by the enemy; and the British government has been apprized of the determination of this government, to retaliate any other proceedings against us contrary to the legitimate modes of warfare.

It is as fortunate for the United States that they have it in their power to meet the enemy in this deplorable contest, as it is honorable to them, that they do not join in it but under the most imperious obligations, and with the humane purpose of effectuating a return to the established usages of war.

The views of the French government on the subjects which have been so long committed to negociation, have received no elucidation since the close of your late session. The minister plenipotentiary of the United States at Paris had not been enabled, by proper opportunities, to press the objects of his mission, as prescribed by his instructions.

The militia being always to be regarded as the great bulwark of defence and security for free states, and the constitution having wisely committed to the national authority a use of that force, as the best provision against an unsafe military establishment, as well as a resource peculiarly adapted to a country having the extent and the exposure of the United States, I recommend to congress a revision of the militia laws for the purpose of securing, more effectually, the services of all detachments called into the employment and placed under the government of the United States.

It will deserve the consideration of congress also, whether, among other improvements in the militia laws, justice does not require a regulation, under due precautions, for defraying the expence incident to the first assembling as well as to the subsequent movements of detachments called into the national service.

To give to our vessels of war, public and private, the requisite advantage in their cruises, it is of much importance that they should have, both for themselves and their prizes, the use of the ports of friendly powers. With this view, I recommend to congress the expediency of such legal provisions as may supply the defects, or remove the doubts of the executive authority to allow to the cruisers of other powers, at war with the enemies of the United States,

such use of the American ports and markets as may correspond with the privileges allowed by such powers to American cruisers.

During the year ending the 30th September last, the receipts into the treasury have exceeded thirty-seven and a half millions of dollars, of which near twenty-four millions were the produce of loans. After meeting all the demands for the public service, there remained in the treasury on that day, near seven millions of dollars. Under the authority assigned in the act of the 2d of August last, for borrowing seven millions and a half of dollars, that sum has been obtained on terms more favorable to the United States than those of the preceding loan made during the present year. Further sums to a considerable amount will be necessary to be obtained in the same way during the ensuing year; and from the increased capital of the country, from the fidelity with which the public engagements have been kept, and the public credit maintained, it may be expected on good grounds that the necessary pecuniary supplies will not be wanting.

The expences of the current year, from the multiplied operations falling within it, have necessarily been extensive. But on a just estimate of the campaign, in which the mass of them has been incurred, the cost will not be found disproportionate to the advantages, which have been gained. The campaign has, indeed, in its latter stages in one quarter, been less favorable than was expected, but in addition to our naval success, the progress of the campaign has been filled with incidents highly honorable to the American arms.

The attacks of the enemy on Craney island, on fort Meigs, on Sackett's harbor, and on Sandusky, have been vigorously and successfully repulsed; nor have they in any case succeeded on either frontier, excepting when directed against the peaceable dwellings of individuals, or villages unprepared or undefended.

On the other hand the movements of the American army have been followed by the reduction of York, and of forts George, Erie and Malden; by the recovery of Detroit and the extinction of the indian war in the west; and by the occupancy or command of a large portion of Upper Canada. Battles have also been fought on the borders of the St. Lawrence, which, though not accomplishing their entire objects, reflect honor on the discipline and prowess of our soldiery, the best auguries of eventual victory. In the same scale are to be placed the late successes in the south, over one of the most powerful, which had become one of the most hostile also, of the indian tribes.

It would be improper to close this communication without expressing a thankfulness, in which all ought to unite, for the numerous blessings with which our beloved country continues to be favored; for the abundance which overspreads our land, and the prevailing health of its inhabitants; for the preservation of our internal tranquility, and the stability of our free institutions; and above all for the light of Divine truth, and the protection of every man's conscience in the enjoyment of it. And although among our blessings we cannot number an exemption from the evils of war; yet these will never be regarded as the greatest of evils, by the friends of liberty, and of the rights of nations. Our country has before preferred them to the degrading condition which was the alternative, when the sword was drawn in the cause which gave birth to our national independence; and none who contemplate the magnitude, and feel the value of that glorious event, will shrink from a struggle to maintain the high and happy ground on which it placed the American people.

With all good citizens, the justice and necessity of resisting wrongs and usurpations no longer to be borne, will sufficiently outweigh the privations and sacrifices, inseparable from a state of war. But it is a reflection, moreover, peculiarly consoling, that whilst wars are generally aggravated by their baneful effects on the internal improvements and permanent prosperity of the nations engaged in them, such is the favored situation of the United States, that the calamities of the contest into which they have been compelled to enter, are mitigated by improvements and advantages of which the contest itself is the source.

If the war has increased the interruptions of our commerce, it has at the same time cherished and multiplied our manufactures, so as to make us independent of all other countries for the more essential branches, for which we ought to be dependent on none; and is even rapidly giving them an extent which will create additional staples in our future intercourse with foreign markets.

If much treasure has been expended, no inconsiderable portion of it has been applied to objects durable in their value and necessary to our permanent safety.

If the war has exposed us to increased spoliations on the ocean, and to predatory incursions on the land, it has developed the national means of retaliating the former, and of providing protection against the latter; demonstrating to all, that every blow aimed at our maritime independence is an impulse accelerating the growth of our maritime power.

By diffusing through the mass of the nation the elements of military discipline and instruction, by augmenting and distributing warlike preparations, applicable to future use, by evincing the zeal and valor with which they will be employed, and the cheerfulness with which every necessary burden will be borne; a greater respect for our rights and a longer duration of our future peace are promised, than could be expected without these proofs of the national character and resources.

The war has proved, moreover, that our free government, like other free governments, though slow in its early movements, acquires in its progress a force proportioned to its freedom; and that the union of these states, the guardian of the freedom and safety of all and of each, is strengthened by every occasion that puts it to the test.

In fine, the war, with all its vicissitudes, is illustrating the capacity and the destiny of the United States to be a great, a flourishing, and a powerful nation; worthy of the friendship which it is disposed to cultivate with all others, and authorised, by its own example, to require from all an observance of the laws of justice and reciprocity. Beyond these their claims have never extended; and in contending for these, we behold a subject for our congratulations, in the daily testimonies of increasing harmony throughout the nation, and may humbly repose our trust in the smiles of Heaven on so righteous a cause.

JAMES MADISON.

Washington, December 7, 1813.

# Events of the War.

## MISCELLANEOUS.

There was a most dreadful gale at *Halifax*, on the evening of the 12th ult. It was accompanied with heavy showers of rain. It was extremely dark, and the howling of the wind, with the blue lights and signal guns of distress from the armed vessels, added to the piercing shrieks of the people, horribly

increased the terrors of the scene. The gale only lasted about two hours, but in the morning, all the shore, lined with wrecks and vessels, proclaimed the strength of the storm. Among the shipping in the harbor were several vessels with *troops*, about to sail under admiral *Warren* on an expedition to the *southern coast of the U. States.* The account details *forty-five vessels* on shore, the most of them much injured, if not destroyed; *seventeen* sunk; 10 or 12 rode out the gale, with the loss of spars, and injured by vessels running foul of them, &c. Besides these, we observe the following notices of such as belong to the royal navy:

The *St. Domingo* and *La Hogue*, of 74 guns each, were ashore; apparently not essentially injured; but we have hopes that their *weight* on the ground may have finished them.

The Maidstone 36, ashore very much injured.

The Atalanta sloop 24 guns, destroyed.

Brigs Epervier, (bilged) Manly, Fantome, Ringdove and Arab, all ashore, much injured.

Alphea schooner, supposed to be lost with all her crew.

Canso, do. ashore, very much injured.

Shelburne, do. dismasted, and otherwise injured.

Transport ship Three Sisters, sunk; do. no. 492 ashore; Hyena, do. lost two masts, and bowsprit; Swift, store ship, much injured; ordnance schooner, lost bowsprit, and otherwise injured.

The Poictiers, Victorious, Nymph, Tenedos, Barrossa, Diadem, Success, Nemesis, Romulus and Arab, rode out the gale; most of them were considerably injured by other vessels running foul of them.

It is probable this disaster may compel admiral *Warren* to postpone his intended expedition. However, it would be well for every man on the southern coast to stand on his defence; and, among other precautionary measures, be ready to send into the interior his *negroes*; for a TRADE in these miserable creatures will assuredly form a prominent point in the proceedings of the *gallant* knight, if he visits the shore.

What will the "*holy men*," the "*elect*" of *Great Britain*,—they who have *impiously* ascribed to the immediate agency of the Almighty, every disaster that has attended the *American* arms, say to this "act of God?"—At the very moment too, when the enemy was about to depart to conflagrate and steal, to plunder and destroy, without *legitimate* object?—Who shall scan the ways of Providence, or blasphemously assign to eternal justice its course?—Heaven, in mercy forbid, that *I* should ever do this thing!—How will *they* "account" for the things that are alluded to above? But I judge them not.

LIEUTENANT M'CALL.—On Wednesday, the 1st instant, this gallant young officer was entertained at Gadsby's hotel, *Baltimore*, by a mixed company of *Americans*, about sixty in number. Among the invited guests were captains *Ridgley* and *Spence*, of the United States' sloops *Erie* and *Ontario*. After dinner the following, among many other excellent toasts, were drank.

*The Union—Esto perpetua.* [When this toast was announced each gentleman rose by spontaneous impulse from his chair, and it was drank standing.] *The President; the memory of Washington; the navy; the army; Hull, Bainbridge, Decatur and Jones; Rodgers, Porter and Smith; O. H. Perry*—lake Erie too limited a theatre for a Nelson's soul; *the brave Elliott*—Perry's right arm in the day of battle; and the memories of *Lawrence, Burrows and Allen; Trippe, Somers, Wadsworth, Caldwell* and *Israel*, and *Truxtun*, were gratefully remembered. *The memory of brigadier-gen. Covington*,—"he fell where he fought, at the head of his men." [See Wilkinson's despatch.] The president gave "our gallant guest;" and lieut. *M'Call* being called upon gave "The citizens of Baltimore; may their happiness and prosperity keep pace with their hospitality and enterprize.

The idea that belongs to the *restoration of a captive to his home and country* is lost, in considering the state of *British* seamen; and the extravagant exertions they frequently make to prevent a return to the *beloved* service of the king, should teach us to apply this repugnance in aid of the war against *manstealing* and *piracy*.

The *arguments* we might use to a British *prisoner* to induce him *peaceably* to obtain his "freedom," brings to recollection a scene said to have occurred at *Newgate* [London.] A fellow brought out to be executed, instead of quietly submitting to his fate, kicked and cuffed, and resisted the officers, by every means in his power; swearing he would defend himself to the last! The priest that stood by came forward, and concluded many *soothing* expressions, with *"do dear man—do be hung!"*—"I won't" said the fellow—"if I can help it."

The following is from the Salem papers of the 27th ultimo:—

*Mutiny on board the cartel.*—On Thursday evening last, the British prisoners on board the cartel brig Anolostan, lying below the fort, bound to Halifax, rose upon the officers and crew of the brig, confined the commanding officer (captain Smith being absent) and fifteen men below and took complete possession of the vessel. Their avowed intention was to board the privateer brig Alfred, which was lying within gun shot, and go off with both vessels. Fortunately, in the scuffle, an officer of the cartel jumped into a small boat which was along side, and got on board the Alfred, whose crew were immediately called to quarters, and the brig prepared to open a fire upon the cartel should she attempt to pass her. In the mean time captain Jeduthun Upton (an officer of the prison ship) who was sent on board the cartel in the revenue-boat just before the mutiny commenced, succeeded with much difficulty in getting on board the boat, several attempts having been made by some of the prisoners to stab him, but others interfered and prevented it; he came up to town, took on board captain Smith and several volunteers, proceeded along side the Alfred, and with about twenty-five of the privateer's crew, well armed, boarded the cartel about 9 P. M. (the wind blowing a gale at the time from the southward) and immediately succeeded in driving the prisoners below, where they were confined for the night. No person was seriously injured in this affair. The number of prisoners on board was about 140. Six of the ring-leaders are in irons. The cartel probably sailed last night for Halifax.

A "*peace*"-loving gentleman suggests that the duty on bills and notes discounted by the banks may be "evaded" by writing them upon *birch bark*. This was "found out" in *Connecticut*.

The *Columbian* ironically states that many fast sailing "*Connecticut runners*" have made voyages to and from *St. Bartholomews*, in twenty days! We trust these "friends of commerce" will be checked.

"MAGNANIMITY."—"The English ship Isabella, of London, from Port-Jackson (with 25,000 seal skins, 90 tons oil and 30 or 40 do. pearl shells,) was stranded on one of the Faulkland Islands last May; her officers, passengers and crew were saved from their perilous situation by the brig Nimrod, Barnard, of New York, who, at the time of preserving them informed of the war between the United States and Great Britain:—*In return for this humane act, the*

*officers, &c.* of the *Isabella took possession of the Ninian, and carried her to Eagle Island, from whence she was sent to England, a* BON *prize.*"

*More "magnanimity."*—The British brig of war Wasp lately captured two boats off Plymouth light, one was in ballast, the other filled with empty barrels—she carried them, as was supposed, ten leagues from the nearest land, then sunk one of them and divested the other of her rigging and sails. After which the crews of both were told they might take the latter, and "go to h—ll," or remain on board and "go to *Halifax*." They preferred the *chance* of the former, and with *one day's provisions*, only, departed; they entreated for a little additional supply, but the captain *valiantly* swore he would not give them an ounce to save their lives!—Some of the officers of the Wasp, more humane, advised them to stay on board, as it was hardly possible they could reach the shore, situated as they were; but they happily arrived at *Boston*.

*The mediation.*—A Russian ship has arrived at Charleston, and brings a report that the British had appointed a plenipotentiary to meet our ministers at *St. Petersburg*.

*Conquest of Canada.*—A writer, in the *Democratic Press*, who appears to understand his subject, gives in detail, a sketch of the several campaigns against *Canada* to wrest that country from France; from which it appears—"The first campaign (1755) was commenced by the British with 10,000 men, while the whole force of the French in Canada, was not more that 1500 regulars, and 600 militia, *and failed*.

The second campaign (1756) was commenced with a British force of 18,000 men, against the French force of 5000, *and failed*.

"The third campaign (1757) commenced with a much superior force to that of the last year, against a French force not exceeding 9000 men, *and failed*.

"The fourth campaign (1758) commenced under the command of general *Abercrombie*, with a force of 50,000 men, 20,000 of which were Americans, against a vastly inferior French force, and also *failed*.

"The fifth campaign (1759) opened with even a more powerful force than that of 1758, and finally succeeded in expelling the French power from Canada.

"FRENCH INFLUENCE!"—*Extract from a late* patriotic *gazette*—"*Interests* (says this writer) inclines every lover of *his country*, who would promote her prosperity, *to espouse the conduct and cause of England, as the advocate of* COMMERCIAL *privileges and of* RATIONAL *freedom, without which we can never raise to power or influence, or enjoy peace and happiness.*

"HUMANITY." *Halifax prisoners.*—We have been informed from an official cource. (says a Boston paper) that *three hundred* of our unfortunate countrymen at Halifax, were on the tenth of the past month, *crowded* on board of "*two small sloops*," for the purpose of proceeding for England, there to experience that *humanity* and *kindness* which has so peculiarly characterised the British nation during the present contest with this country.

TERRIBLE! The following picture of the situation of the United States is drawn in a late *Boston Centinel*. We preserve it as a curiosity.

"It is really ludicrous to hear us offer the *Canadians liberty!—They*, who have no taxes to pay—no embargoes to endure—no commerce checked to please a foreign state—Who chose their own parliaments; make their own laws; and what is more, manage *their own private affairs in their own way.*—These Canadians are invited by us to partake of our freedom:—*We*, who are just about to be crushed under our taxes;—*we*, who pay half a dollar duty on teas, and two hundred per cent. on the first cost of coffee;—*we*,—who cannot put a thing in their lips which has not been saddled with taxes; *we*, who cannot ride as they do in their cabriolets, without paying for it to an excise officer and spy;—*we*, whose country is filled with pimps and spies; *we*, whose elections are sometimes carried, as in a town of Vermont lately, by the bayonet;—whose citizens are plundered, and sometimes murdered by hired mercenaries:—*We*, whose trade is cut up for sport;—whose cities are deprived of their usual support; and whose seamen are pining in our streets; who are compelled to become manufacturers in spite of our natural inclinations;—and this by the very men who have represented manufactures as the ruin of the morals and fatal to the liberties of the people. "Let our work-benches be in Europe," was the language of the men who compel us to coop up our children in manufactories, to the ruin of their health, and the destruction of their morals.

"The Canadians knew better their own freedom—and they saw what *our liberty was*. They refused our kind offers of liberty, and participation in embargoes and the thousand other blessings of our happy country. And *we, just in character* for a *free people*, tell them, if you do not freely accept our offers, we will burn your churches, conflagrate your dwellings, rob your stores, slaughter your children, and force you to *be free*. In short, these things we have done."

Who is not *horrified* at the *horrible* portraiture?—Lord bless us!—Let us away to *Canada*, and there enjoy the *real liberty* that belongs to the subject of *Great Britain*.

[From the London Courier, June 17, 1813.]

*Policy of taking New-Orleans.*—There are arguments in our colonial journals, tending to prove that there exists a necessity for our government's taking possession of the province of New-Orleans. We extract the following observations on that subject:—"If Great Britain will only take New-Orleans, she will divide the states. By shutting that outlet to the fruits of western industry, she will make herself known and respected by those states, in spite of the power of the rest of the union. If in the war of 1755, France had been as superior at sea, as Britain then was, we should never have heard of the United States of America. The back country would have been as well settled before this with Frenchmen, as it now is with the descendants of Britons. We ought at present to take the benefit of former lessons, and make those people our friends when so much is in our power. Take New-Orleans, which is at the threshold of our West-India islands, and which could furnish them with provisions at half the price they have been accustomed to pay. By such conduct firm allies would be created on the continent, our West-India planters would be gratified, and the integrity of the Spanish dominions in America guaranteed from traitorous insults."

This is very good—but the editor of the *Courier* does not know, that two millions of people, as hardy, gallant and patriotic as the world can boast of, are immediately interested in an outlet at *New-Orleans*; who, like the flood of their own *Mississippi*, would precipitate themselves on the foe, with irresistible force. It would be worse than a new *Walcheren* expedition. To be sure, it would be a pretty thing to *take New-Orleans*; but to keep it—*c'est une autre affaire*.

*American prizes in France*—The *Aurora* publishes the following extract of a letter from *Bordeaux*, dated Aug. 20.—"By a decision of the minister of commerce explaining the decree of his imperial and royal majesty relating to prizes made by American

cruizers, and sent into ports of France, it appears:

"That all re-captured vessels sent into the ports of this empire, shall be obliged to export a *contre value* equal to the net amount of the sales of such vessels and cargoes. The minister gives, as a reason for this decision, *the possibility of American cruizers making arrangements with the enemy* for the purpose of introducing British cargoes into France.*

"That all bona fide prizes made on the enemy by American cruizers, shall be received in France, and their cargoes (prohibited goods excepted, and even those may be exported,) be admitted for consumption.

"The duty of enregisterment, and the invalid duty, these prizes are exempted from, provided such vessels and cargoes are proceeded against by the consuls of the United States, in conformity to admiralty laws and forms of the United States, and publicly sold in the chancellery of the American consulate.

"In the case of the re-captured vessel the Criterion, and the prize to the President frigate, the Maria, the former sent into Bayonne and the latter into Bordeaux, this decision of the minister of commerce has been carried into effect."

A letter to the editor of the REGISTER, from *Chillicothe*, dated November 30, says—"Colonel Evans, with three or four other British officers, and about 80 privates, taken by *Harrison*, have arrived here from Detroit. They will proceed in a day or two for Newport, Ky. where the officers are to be placed in *close confinement*, by order of the President of the United States. In pursuance of like orders, the martial of the district of Ohio last week took charge of the prisoners captured by *Perry*, and put them into close confinement, in the *common jail*; which is surrounded by a strong guard. The British officers do not relish this measure, but are candid enough to acknowledge its justise, and are not sparing of imprecations on their own government as the cause."

The letter mentions that certain documents are said to have been found among *Proctor's* papers, of high import—being the correspondence between an officer of the United States, and general *Brock*; of which, as a trial is about to take place, it would be improper to speak more particularly at present.

CAPT. LAWRENCE.—*From the London Star.*—"The late captain Lawrence was one of the *few* commanders in the American service, who had the manners and education of a *gentleman*."

We are much obliged to the editor of the "London Star" for acknowledging, explicitly, that we had *one* "gentleman," in our service, and return the compliment, by saying, that we have heard of two in "his majesty's" *thousand* vessels of war.—The greater part of the rest that have *scraped* up an acquaintance with us, are the most pompous, silly and conceited—or savage or drunken creatures we know of. For examples, take *fighting* Dacres, *modest* Carden; *gallant* Cockburn, or *temperate* Bingham and Capel.

On Thursday, the 2d inst. com. *Bainbridge* was entertained at *Philadelphia*. About 300 gentlemen of mixed politics, sat down to dinner, to which were invited as guests, the naval and military officers in that city and its vicinity. The chief justice presided, with the commodore on his right, and the bishop of Pennsylvania on his left. After the cloth was removed many *American* toasts were given, accompanied with music.

General *Hampton*, having arrived in season, was invited to an entertainment prepared for general *Harrison*, at *New-York*, on the 1st inst. at Tammany Hall. The feast was got up in the most splendid stile. Gen. Harrison's toast was—"The freedom of the seas and the adoption by our government of that Roman maxim, which secured to the citizen his inviolability." 12 cheers.

A Portuguese brig has arrived at Newport, R. I. laden with salt, *merino wool*, &c. She was boarded by a French privateer that "*robbed*" her of 90 chests of the tea. The capt. of the privateer said that he had captured *twenty-seven* sail of British vessels.—[Why say "robbed"—are not *France* and *Portugal* at war? But so it is in *our* papers.

NORWICH, (Conn.) Dec. 1.

*Retaliation.*—Mr. William Maytom, sailing master of his majesty's ship Ramilies, who was some months a prisoner of war in this place, and who left here in the expectation of exchange by the Analostan cartel, has been detained and put into close confinement at Providence for the safety of Joshua Penny, whom our readers will recollect was taken from his house on Long Island, some time last summer, by order of sir Thomas Hardy, who then commanded on this station.

## MILITARY.

Governor *Chittenden's* emissary to the Vermont volunteers in New-York, was released at Plattsburg, on giving security in the sum of $5,000 dollars for his appearance at the next U. S. district court to be held in the city of New-York.

The campaign to the north is certainly at an end. Generals Hampton, Lewis, Harrison, Boyd, Porter, with many of the colonels, have left the armies with various destinations. Harrison returns to the 8th military district. Generals Izard and Parker remain with Hampton's division; and general Brown commands at French Mills, general Wilkinson being much indisposed. A letter received in Philadelphia, says the latter has arrived at Albany, and that his life is despaired of.

We are anxious to see *Boyd* and *Brown's* accounts of their battles with the enemy descending the St. *Lawrence*. The latter is spoken of as a very successful affair.

The *Buffalo Gazette* of Nov. 23, says that the British issue 1500 rations daily at Burlington Heights, including those to the Indian women and children. The force of the enemy is about 500 regulars and the same number of Indians, fit for duty.

Col. Smith, of the rifle regiment, commands at Sackett's Harbor.

The troops at St. Regis have finished the log huts, and are in comfortable winter quarters.

The order for the march of *Hampton's* division to *St. Regis*, was countermanded; except as it respected the 2d battalion of the 11th and a company of the 5th.

The *Montreal* papers are filled with inflated accounts of the battle at Williamsburg—they rate our force engaged at 4,000 men, and state our loss to be one thousand. They acknowledge their own to be 169. It would appear from these papers that their force at *Montreal* is very respectable.

*The Creeks.* We have not yet received general *Jackson's* account of his splendid victory over the Creeks at Tallegada, as noticed in the postscript to our last. But are satisfied that such a victory has been gained, and wait contented for a regular detail of the battle. We may soon expect news of the operations of the troops from *Georgia*, on the other side of the Indian country.

Maj. gen. *Pinkney* has proceeded to Milledgeville, (Geo.) to have a general charge of the expeditions against the Creeks. A detachment of 100 U. S. dra-

* It is with deep humility we acknowledge the *justice* of this arrangement. For a case in point see *Price lists*, page 256.

goons left Savannah on the 20th ult. for fort *Hawkins*.

The *Georgia* militia, under general *Floyd*, in the *Creek* country, have been delayed in their movements by the default of the contractor. The general having made his case known to the governor, he communicated it to the legislature, and $20,000 were instantly appropriated by that patriotic state to forward the expedition.

Between 4 and 500 men, of the 38th regiment, recruited chiefly in Baltimore, have arrived at *Norfolk*, under the command of major *Frailey*, where they are to be stationed for the present. They are spoken of as a very fine body of men.

The *Albany Argus* says, that in the battle of the 11th, at Williamsburg, the enemy made no prisoners but the wounded.

*Quebec, Nov. 4*, 1813.—On Friday and Saturday last, the following American officers were conducted under an escort of major Bell's volunteer cavalry, from Beaufort, where they were on parole, and lodged in the jail of this city:—

*Major*—Christian C. Van de Venter.

*Captains*—John Machesney, Henry Fleming, Alexander M'Ewen, D. Van Vechten, Isaac Rouch.

*Lieutenants*—Thomas Carney, John Waring, Thomas Randall, John Wm. Thompson, John H. Cranson, George Murdoch, Nicholas N. Robinson, Masson Mudd, Samuel B. Griswold, James Smith, J. P. Palmer.

*Ensigns*—Washington Dennison, David P. Polk, John Tarball, S. W. Osgoode.

Sidney Smith, lieutenant, W. A. Monteath, midshipman, of the navy.

The following non-commissioned officers, from on board the transports, were also imprisoned:—

*Non-commissioned officers.*—B. W. Stevens, W. Tromelle, Nathan Jones, Abel Lawrence, Jo. Whitney, Frs. Marco, Wm. Sampson, J. W. Price *alias* Pierce, Ben. Butman, J. P. Reid, John Moody, W. M'Cune, Elisha Warren, Seth Barnes, Chas. West, H. D. Yates, Lyman, Baggs, Geo. Hassler, Lyman Waring, Richard Taylor, Jacob Huber, Alvin Dewall, John Ferguson, W. Lyles.

BRITISH OFFICIAL ACCOUNTS OF THE BATTLE NEAR CORNWALL.

Head-Quarters, La Chine, 13th November, 1813.

*General Orders.*—The governor in chief and commander of the forces has the satisfaction to announce to the troops, that the corps of observation with the division of gun-boats, which he had ordered from Kingston to follow the movements of the enemy's army under major-general Wilkinson, and to be placed under the command of lieutenant-colonel Morrison, of the 89th regiment, has completely defeated a large division of the American army, consisting of cavalry, riflemen and infantry, exceeding four thousand men, which attacked it on the 14th instant, near Crystler's, about twenty miles above Cornwall, taking from the enemy one field piece, six pounder, and four hundred prisoners. As his excellency is not yet in possession of the particulars of this brilliant achievement, he cannot specify the loss sustained by either; that of the enemy is represented by an eye-witness to the action, to have been very considerable.

It has further been reported to his excellency, that lieutenant-colonel Morrison, with the 89th regiment, and captain Mulcaster, of the royal navy, with a division of gun-boats, had effected a landing at Hamilton, where they were put in possession, by the inhabitants of that place, of all the public stores left there for the use of the American army, and among other articles they restored to them the goods that had been taken on board the seven merchant batteaux belonging to Montreal, captured a few weeks ago, and after destroying the public buildings our forces again united and continued to hang on the enemy's rear.

His excellency has also a report from captain Mulcaster, of the royal navy, stating his having brought over from Ogdensburg to Prescott, a 13 inch and a 10 inch brass mortar, with their stores, and a large supply of provisions, which had been deposited there by the American army.

It will also be satisfactory to the troops to learn, that our loss of brave and gallant soldiers was not considerable; neither lieutenant-colonels Morrison, Harvey or Pearson, has suffered on this occasion, and on the 12th the daring little band were renewing their molestation of the enemy in his progress towards Montreal, where major-general Wilkinson had publicly declared it was the order of his government to take up his winter quarters.

This order to be publicly read at the head of every regiment of regular troops and battalion of militia.

By his excellency's command,

EDW. BAYNES, *Adj. Gen.*

*Head-Quarters, La Chine, 15th Nov.* 1813.

GENERAL ORDERS.—His excellency the governor general and commander of the forces, has received from lieut. col. Morrison, 89th regiment, the official report of the action which took place on the 11th inst. at Crystler's farm, 20 miles above Cornwall, between the corps of observation, consisting of the 49th and 89th regiments, and a detachment from the garrison of Prescott, under lieut. col. Pearson, the whole amounting to about eight hundred men, and the principal division of the enemy's army commanded by major-general Boyd.——On the day preceding the action, an affair took place in consequence of the corps of observation pressing on the enemy, which after a short conflict terminated in his defeat, the British division occupying that night the ground on which the affair had taken place.

On the 11th lieut. col. Morrison continued his pursuit, when the enemy concentrating his force, made a grand effort to relieve himself from so troublesome an opponent, and advanced with his heavy columns of infantry, supported by artillery, his front covered by a numerous body of cavalry and riflemen. Lieut. col. Morrison fell back gradually, and took up a judicious position (which he had previously made choice of) with his little band, his right on the river, consisting of the flank companies of the 49th regiment and a detachment of the Canadian fencibles, under lieut. col. Pearson, with a six pounder a little advanced, supported by three companies of the 89th regiment under captain Barns—the 49th and 89th regiments formed the main body of reserve extending across the road to a pine wood, occupying a space of seven hundred yards.

Major Heriot, with a detachment of the Canadian voltigeurs, and a small band of Indian warriors under lieut. Anderson, secured the left flank. The action commenced about 2 o'clock in the afternoon, and in half an hour became general, the enemy attempting to turn the left of the British, but were repulsed by the 49th and 89th regiments, which advanced, firing by wings and platoons. The enemy having failed in this attempt, united their utmost effort in an attack on the right, supported by four pieces of artillery and their cavalry, which was in like manner repulsed, the 49th and 89th regts. having moved up in echellon and formed in line; a charge commenced by the 49th regt. was not persevered in, in consequence of the enemy's having charged upon the right, and threatened to gain the rear; but their cavalry were so gallantly received by the three companies of the 89th regt. under capt.

Barns and the well directed fire of the artillery under capt. Jackson, that they were instantly repulsed, and by the rapid pursuit of capt. Barns' party, a six pounder was captured from the enemy; whose attention was now solely directed to cover the retreat of his beaten forces. In this last effort he was foiled by a judicious movement of the corps under lieut. col. Pearson, who continued to pursue the enemy in his flight.

[Here col. Morrison speaks of the merits of lieut. cols. Pearson and Plenderlath; majors Clifford and Heriot of the militia and capt. Jackson: also of lieut. col. Harvey, captains Skinner and Davis, of the staff, lieut. Anderson, of the Indian department, and lieut. Hagerman of the militia.]

It is with deep regret that lieut. col. Morrison transmits a list of casualities, containing the loss of several brave soldiers—but when the unequal contest, and the quadruple loss of the enemy, and the importance of this splendid victory are considered, the comparative British loss will appear less than might reasonably be expected.

*Return of killed, wounded and missing.*

[Here follow the particular returns of the killed, wounded and missing, of the several corps, which it is unnecessary to insert.]

*Total*—1 captain, 2 drummers, and 19 rank and file killed; 1 captain, 9 subalterns, 6 serjeants, and 131 rank and file wounded; 12 rank and file missing.

*Names of officers killed and wounded.*

49th regt.—Capt. Nairne, killed; lieut. Jones, wounded dangerously; lieut. Bartley, wounded severely not dangerously; lieut. Clans, wounded, left leg amputated; lieut. Morton, wounded severely, not dangerously; lieutenant Richmond, wounded slightly.

89th regt.—Capt. Brown, wounded severely, not dangerously; Ensign Leaden, wounded slightly.

49th flank company.—Lieut. Holland, wounded severely,

Canadian Fencibles.—Lieut. Delorimiere, wounded dangerously, since dead; lt. Armstrong, wounded dangerously. By his excellency's command.

EDWARD BAYNES, Adj. Gen. N. A.

The following remarks on the preceding "official" is from the *Plattsburg Republican*. It well exposes its strange falsehoods. Another account says that we took about 50 prisoners; that our whole loss, killed, wounded and missing was but 350; that not one of our men was taken prisoner during the action; that those that the enemy took were only a few stragglers, not exceeding 20 or 30; and that the few wounded left on the field was entirely owing to the neglect of officers commanding corps, who had ample time to remove them.

"*If you would tell a great lie, take care not to enter into particulars.*"

The importance of the above maxim to all writers of "British officials," which have become other terms for great lies, will appear by comparing the main assertions in the "British official" account of general Boyd's late action, with the detail given in the same statement. The "official" declares in the first place, that our force consisted of more than four thousand men!!

In the next place it asserts that the whole British force, of all descriptions, was only eight hundred!!!

But it gives a detail:

"49th and 89th regiments of infantry formed the body of reserve from the road to a pine wood occupying a space of 700 yards."

"A detachment from the garrison of Prescott."

"Major Heriot, commanding a detachment of Canadian Voltiguers."

"A band of Indian warriors secured the left flank under lieutenant Anderson."

"A corps of the royal artillery under captain Jackson."

Lieutenant Hagerman of the militia acted for the line as aid; of course there was militia.

The reader will observe that the two regiments, occupying a space of 700 yards, formed only the corps of reserve; of course they must have had their main body to fight their battle distinct from them; then let him carry out the numbers severally, according to his discretion, no larger than they must necessarily have been: Then compare the amount with 800 men! and he will be able to form some idea of the difference between the "official" statements, and the truth.

The truth, (which is well known known, and for which all our gallant officers who were engaged in that well fought action, will pledge their reputation,) is, that the whole number of American troops who were either in, or near the action, was less than 1600 men. And it is also equally true, that the British out numbered us in regulars, and including Indians and militia they were superior in number by at least one third. This last will also be found to agree with the above detail from the British account.

As for the assertion of their having taken 400 prisoners, it is wholly a fiction, added only to keep the rest of the statement in countenance.

We have good reason for believing that the British loss in killed and wounded far exceeded ours: else why, after making several desperate but unsuccessful attacks to prevent our "little band" from embarking, did they deem it proper to stand aloof and suffer them to get into their boats and depart without attempting further to molest them; although they had four pieces of artillery and 12 gun boats, which had they been thus far successful, must have destroyed our detachment.

NAVAL.

Captain *Elliott* has arrived at *Buffalo*; and has regained his health.

*The President frigate.*—It is stated that commodore *Rodgers* went to sea, some days ago, the *British* blockade notwithstanding.

It is said that admiral Warren by proclamation, has also blockaded *Newport* and *Newhaven*, with the intermediate ports.

*The Essex and Congress.*—Midshipman *Clarke* and seven seamen of the *Essex*, have arrived at Newport, R. I. from *Rio Janeiro*. He is reserved in his communications as to where he supposes the frigate now is, when she may be expected, &c. He states the following—that in January last, he was sent to Rio Janeiro with a prize; that the prince regent ordered him immediately to sea; and the vessel not being supposed fit to be carried to the United States, he took her out of the harbor and burnt her. About four weeks previous to his sailing from Rio Janeiro, the Rosa, a prize to the Essex, had arrived there, with the crews of seven merchant vessels, captured by the frigate. Captain *Porter*, who was "almost adored by his officers and crew," had fitted out one of his prizes, and called her the "*Essex junior*." She had sent several prizes into *Valparaiso* (Chili.) The last account of the frigate was, that she sailed from that port on the 24th of June, on a cruize.

The British frigate Nereus had arrived at Rio from the river Plate with $2,000,000. They heard that an *American* frigate (the *Congress*) was waiting for her, and the cash was shifted to the Monta-

gue, of 74 guns. The Congress is said to have watered near Pernambuca on the 1st of August.

A frigate and two sloops of war had sailed from Rio Janeiro, to proceed round Cape *Horn* to intercept the Essex, and take possession of our settlement on *Columbia* river.

The famous privateers Rattlesnake and Scourge were yet off the North Cape, Aug. 19, doing an active business.

A person who was lately on board the *Majestic*, says that the officers stated that ten sail of the line were coming out from England in the spring, when *Boston* would be blockaded. The bulwarks of the Majestic are twelve feet high and eighteen inches thick, of solid timber.

Capt. Stafford, famous for his defence of the *Dolphin* privateer in the Chesapeake last summer, was attacked close in with Charleston, on the 27th ult. by five boats from a British brig of war; when close upon him, he tore one of the boats to pieces with grape shot, and gave the rest employ in saving their comrades. The brig after discharging a broadside at him, hauled off. Capt. S. had one man wounded. The loss of the enemy unknown.

Capt. Kennedy, of the sloop Betsey, from Maurice river for Newbern, N. C. was captured by the Lacedemonian, who put 5 men and a prize master on board, leaving capt. K. and another person on board; which *two* made out to *surround* the six Englishmen, and take them safely to Newbern. In one of the attempts of the enemy to re-take the vessel, the prize master fell overboard; but capt. K. put out the boat and saved him. He promised that no further resistance should thereafter be made, and he did not attempt it; but he was well watched.

On the 23d ult. the U. S. schooners Carolina, of 14 guns, and "General Horsford," were at Wilmington, N. C. They are to remain on that station. The latter is not yet fitted for service.

It is stated from *Bermuda*, that the enemy vessels on the North American station have orders to keep on our coasts during the winter. We are glad of this; for admiral *North-West* will have some of them.

A British barge belonging to the Jason sloop of war, with a lieutenant and 7 men, entered *Milford* creek, Delaware, a few days ago, and captured two shallops;—but their retreat was cut off by a party of militia; their barge captured and they themselves made prisoners of. Three others came in as deserters.

*Copy of a letter from commodore Jacob Lewis, commanding the New-York flotilla to the secretary of the navy.*

New-York, November 30, 1813.

SIR—I have the honor to inform you, that on the 29th the flotilla force re-captured from the Plantagenet, a schooner from New-Orleans, loaded with cotton and lead.

The enemy had chased the schooner on shore about thirteen miles from where the flotilla laid at anchor; however, before the enemy had time to get the vessel off, or to unladen the cargo, they were attacked, beaten off, and the vessel taken possession of. The enemy sent a flag to demand a ransom for the schooner and cargo, stating she was in their power, and unless we consented to ransom the vessel, he would destroy her—also all the houses on shore. All his threats did not answer his purpose—the vessel and cargo are ours.

I have the honor to assure you of my consideration and respect,

JACOB LEWIS.

Hon. WILLIAM JONES,
Secretary of the navy, Washington.

P. S. One man wounded in the affair. J. L.

THE DAYS OF THE GOTHS, RETURNING.

*Extract of a letter from captain M'Donough, commanding the U. S. naval force on lake Champlain, dated Plattsburg Bay, 23d November, 1813, to the secretary of the navy.*

"Accompanying this is the voluntary statement of Abraham Walter, who was pilot of one of the sloops taken last summer. He made his escape from Quebec; and, after a severe journey of ten days, reported himself to me yesterday."

*Affidavit of Abraham Walter, pilot of the U. S. sloop Growler, on lake Champlain, viz.*

State of New-York, Clinton county, *ss.*

Abraham Walter, formerly pilot to the sloop of war Growler, on lake Champlain, being duly sworn, deposeth and saith, that he was employed on board the sloop when it was taken by the British in June last; that after the sloops Growler and Eagle were surrendered, the prisoners, both officers and sailors, were taken to Quebec, where they were immediately confined on board a British prison ship; there they were examined by a public officer or examiner, and about eight or ten of the prisoners were declared to be British subjects; these were immediately separated from the rest, and put on board a man of war and sent to England, to be tried for treason. One of these was known to be a native of New-Hampshire by captain Herreck, of the New-Hampshire volunteers, who was also a prisoner, and who had known him from his infancy; and several of the rest were declared by other of their acquaintance to be native citizens of the United States. These representations were unavailing with British officers who commanded, and they were torn thus from their companions to defend themselves against the charge of treason in England.

The residue were still confined to their prison-ships, in a situation more disagreeable than can well be imagined.

Some time after, a number of British vessels were wishing to proceed to Halifax, the crews of which had mostly been pressed out of them to fight the American forces on the upper lakes, and seamen were wanted to supply their place. Gen. Prevost sent an order to general Glascow, who then commanded there, directing him to proceed on board the prison-ship and to induce the prisoners to volunteer to man their fleet for Halifax; and in case they refused to comply, to force them on board for that purpose. The application was made; but the American prisoners, considering the measure unjustifiable towards their own government, refused to volunteer, *and were accordingly forced on board the vessels by a British press-gang*, where this deponent understood they had quarters assigned them, and were compelled to assist them in navigating British vessels to Halifax, and afterwards to England, as this deponent has since been informed; and further, that not one of the seamen who was a prisoner there was exempted from this proceeding.

And this deponent further saith, that in the beginning of the present month of November an order was received in conformity to the prince regent's order or proclamation to seize forty-six American officers and non-commissioned officers, who were then prisoners of war and to imprison them, to be kept in close confinement, agreeably to the tenor of that proclamation. Prisoners to that number, most of whom were officers there on their parole, many of them in a delicate state of health, were immediately put under arrest, and marched guarded to the public prison, and immured for what fate is to him unknown. Among these destined for close imprisonment, are lieutenant Smith, then in a declining state of health, and Dr. James Wood, a citizen of Champlain, who was taken from his home whilst he was

in the employment of the revenue, but as this deponent believes no way connected with the army. They were imprisoned on the 5th of November instant.

This deponent further saith, that the enemy has uniformly at that place treated American prisoners, both officers and privates, with extreme rigor; that some time since an American midshipman and two masters' mates, merely for having proceeded on a party of pleasure, about half a mile beyond the limits assigned them, though they immediately returned within them, were seized and put into prison and kept in irons, till the general imprisonment of officers and non-commissioned officers as above related took place. And this deponent further saith, that all that was allowed for the American prisoners on board the prison ship was daily one pound of old wormy bread, which the inhabitants declared had been twice to the West Indies, and condemned for spoiled bread; and one half pound of exceedingly bad meat, which in almost any other situation would be absolutely not eatable; no liquors; no soap to prevent themselves from becoming lousy; no candles; and none of the other comforts of life; *and that it was the opinion of all the prisoners, that many of them had actually starved to death, not being able to eat the provisions*; and further, that immediately on the prince regent's proclamation being received, colonel Gardner the American agent there, who had been occupied in paying off the sick and privates of the land service, was immediately notified by governor Prevost to consider himself confined to the same limits which were assigned for the officers at Beaufort; and when this deponent left that place, he was compelled to remain with general Winchester and others, and was not permitted to visit the prisoners who were in distress on board the prison ships, or to visit the town to negociate his bills for the relief of the officers, and had already been obliged to share what little private money he had with him among them for their temporary relief. This deponent further saith, that he started from the neighborhood of Quebec, and came by the way of Derby in Vermont, and arrived at this place two days since; and further this deponent saith not.

ABRAHAM WALTER.

Sworn before me, this 23d day of Nov. 1813.

HENRY DELERY.

*One of the Judges of the court of common pleas, in and for the county of Clinton.*

*Copy of a letter from commodore Rodgers to the secretary of the navy, dated*

U. S. Frigate President,
Providence, November 5, 1813.

SIR—Mr. West, the bearer hereof, and late acting chaplain of this ship, was sent by me to England in June last, in the British government packet Duke of Montrose, which vessel after her capture, I converted into a cartel for the purpose of conveying 79 prisoners on parole to Falmouth

You have already had copies of the stipulations on which I granted the cartel, as well as of the terms on which the 79 prisoners above mentioned were permitted to return to England; but as the British government found it convenient to pefer the forfeiture of the honor of 79 of their subjects, to a compliance with the sacred obligations under which they had voluntarily bound themselves to the United States, I have thought it proper to direct Mr. West, who has just returned from England, to proceed to Washington in order that you may the more distinctly hear from himself the bad faith with which the British government behaved on the occasion.

I have the honor to be, with great respect, your obedient servant,

(Signed) JOHN RODGERS.

Hon. Wm. Jones, secretary of the navy.

*To Commodore Rodgers.*

SIR—I am sorry to inform you that the British government has refused to sanction the terms of exchange entered into and signed at the time you captured the Montrose under my command, and assign as a reason that "such transactions are inconsistent with the established understanding betwen the two nations." I feel much regret at this determination of the government under which I have the honor to serve, and beg to assure you that nothing in my power has been wanting to procure the intended exchange, but your good understanding of the situation I hold, and that my individual interest can have no influence with the established laws of the two belligerents, will, I have no doubt, excuse me from any blame on this head.

I beg to return you my sincere thanks for your attention and politeness to me while I had the misfortune of being on board the President, and am, with the greatest respect, sir, your most obedient servant,

A. G. BLEWITT.

Falmouth, 5th July, 1813.

The case of those unfortunate individuals as represented below, is the lot of thousands of their fellow citizens so feloniously held and outrageously treated. The petitions were handed to the editors of the *New-York Gazette*, by a passenger in the sloop Lady Washington, from Savannah, captured off New-York, a few days ago, by the Plantagenet and ransomed. The bearer of the petitions was a prisoner on board the man of war for five days, and received the paper from one of the petitioners.

*H. M. S. Plantagenet, R. Lloyd, captain, cruising off New-York, November 21st, 1813.*

*Sir,*—WE YOUR PETITIONERS DO HUMBLY PRAY, That you will please to lay our case before the president and the house of representatives, as being citizens of the United States, and being *compelled* to serve on board of his Britannic majesty's ship, as above, contrary to the law of nations: and moreover, we your petitioners, have made application to the board of admiralty at London, before the said ship sailed for the coast of America; and before we wrote to the board. As soon as we heard hostilities had commenced between Great Britain and the United States, we made application to the captain of the above ship, and the said captain gave us *abuse* and threatened to send us on board of a guard ship. When we your petitioners, could get no redress, we laid our case before the board of admiralty, and have every reason to believe, that we were ordered to be discharged, or considered as prisoners of war. We, your petitioners, *are not allowed to speak or hold conversation with any Americans, who are at times on board, from coasters and small craft, that the above ship at times detains.*

[The petitioner then, at great length and minuteness, tells how he served his apprenticeship to the hatting business in Philadelphia, naming his master and where he lived, and many of his relations, with the streets, &c. in which they resided. How that he began business for himself in "Callowhill-street," how and when he married, &c. and went to sea in a ship for Canton, 1799, &c. &c. and then adds,]——

I hope that you will be pleased to investigate into this affair, and not let me be considered as an enemy to my country, which I am bound to protect, by all laws human and divine—And I am certain that it must be against nature to be against ones flesh and blood: *but I am determined they shall have my life before they shall force me.* I hope you will take my case under your sage consideration, and your petitioner shall ever pray.

JAMES KILLIGAN.

Your petitioner, JOSEPH PARKER, a native of the state of Virginia, seaman, served his time out at Norfolk, in the above state, humbly begs that you will please to enquire of captain Barron, who formerly commanded the Chesapeake frigate, when I sailed with him at that time, or to Stephen Decatur, who personally knows me, as I was a servant under his command. I hope that you will please to take my case under your consideration, and your petitioner shall ever pray.

JOSEPH PARKER.

## The Austrian Manifesto.

Cobbet has the following remarks on the *Austrian Manifesto*—page 181.

"I shall then suppose that my neighbor Brindley of Reynsham, has a daughter who is dear to him as his heart's blood—(I suppose the case of my friend Brindley, because, to his sorrow, he has no daughter, and is too honest a man to be offended by my making use of his name in a case in which no man who knows him would ever believe him to be guilty) —and that my neighbor Hildreth, of Lower Farnham, is desirous of putting an end to an old family quarrel, by marrying farmer Brindley's daughter. I shall suppose that farmer Brindley, who attends church on Sunday and holidays, pays his tythes and taxes with great apparent satisfaction, has conceived a grudge against young Hildreth, and envies the prosperous manner in which he pursues husbandry, and the fine condition of his live stock; that he conceives an antipathy even at his high reputation in Hampshire, inasmuch as Hildreth, though he does not attend church so often, nor flatter the parson, is still as good a man in the main. I shall suppose, for I am only supposing, that old Brindley consents to give his daughter, dearest to his heart, to Hildreth in marriage, and that the grand children of Hildreth by Brindley's daughter, are to inherit his fine farm and farm house in fee simple, and the live stock; that they shall, as the scripture says, "become bone of one bone and flesh of one flesh," and that old Brindley, in order to render every thing complete, proposes to swear upon the holy evangelists, to bury all enmities, and to live in that affection and friendship, which should become the father and husband of this fair and innocent peace offering. Now, if it should afterwards appear, in one or two years after that Brindley's daughter brings him a grandson, that at the very time of his giving his daughter away, he did so with the premeditated purpose to lay a scheme among his neighbors to destroy his son-in-law, nay, to cut his throat and burn his farm, and by imputations the most iniquitous cast on his son-in-law, he should premeditatedly and secretly arm all his neighbors with clubs and staves and pitchforks, to go and destroy poor Hildreth, his wife, child, farm, farm-house and cattle; and that, when Hildreth, suspecting or hearing of his design, should endeavor to persuade him to remain peaceably at home, and that no one should molest him; yet, that Brindley should still promise friendship, and still continue to labor until the neighbors were again so completely enraged and had set out to murder him; what should we say of old farmer Brindley? would not any man say, that Botany Bay was too good a birth for him; that such a monster should be banished from human society. I make no comments; if farmer Brindley would merit punishment and abhorrence, would he deserve better, merely because he is emperor of Austria. I shall leave this common life story to the consideration of a thinking people."

## American Prizes.

WEEKLY LIST—CONTINUED FROM PAGE 208.

"The winds and seas are Britain's wide domain,
"And not a sail, but by *permission* spreads!"
*British Naval Register.*

701. Brig Dart, sent into Salem.

702. A sloop, richly laden with dry-goods, said to be worth from 1 to 200,000 dollars taken by the *fort* at Eastport!—This vessel was said to be bound from St. Andrews for Halifax, but supposed really bound for the United States, expecting to be captured by a *smuggling privateer* boat, according to previous arrangements; for she had been off the port for some days, a part of which time she was in company with two *British* vessels of war. But it so happened, that having got under way, apparently to return to St. Andrews, the wind being light and the tide strong, she was drifted under the very guns of the fort, and made prize of!

703. Sloop General Hodgkinson, from Curracoa for Martinique, with salt, &c. and some specie, captured by the Saratoga, but cast away near Charleston, S. C. where the prize-master and crew have arrived.

704, 705, 706, 707, 708, 709, 710. Seven small craft, captured on the St. Lawrence, laden with merchandize; stated in a Montreal paper to be worth 5000 pounds sterling.

711. Brig Edward, from New-Brunswick, laden with oil and fish, and sent into Folly Landing, by the Fox privateer of Baltimore.

712. Swedish brig Janstoff, from Halifax bound to the enemy squadron off New-London, laden with dry goods, taken by the boat Washington, of Portland, and sent into Plymouth. ☞ *We suspect this is mere smuggling.* "A PRIZE NO PRIZE."

713. Brig Lloyd, from Goree, captured by the Saratoga; her cargo of camwood, muskets and pistols taken out, and burnt.

714. Ship Vesta, of 10 guns, from London for Bonavista, captured by the Saratoga, divested of her guns and all her valuables and suffered to proceed with a little "friendly advice," not being worth sending in. The Saratoga had thrown 10 of her guns over when chased by some British vessels of war, and supplied herself very opportunely from the Vesta.

715. Schr. Fame, from Barbadoes for Berbice with the mail and a quantity of government stores, captured by the Saratoga.

716. Schr. Joseph, of Surinam, laden with government stores; captured by the Saratoga, who took out her cargo and ransomed the vessel, putting on board 29 prisoners on parole.

717. Schr. Lady *Cockburn*, with a cargo of indigo and some coffee —took out the cargo and let her pass, being leaky.

☞ The Saratoga has arrived at Wilmington, N. C. and besides the cargoes of the above vessels, is said to have on board a pretty considerable sum in specie. She watered at the Canary islands, where she was very generously treated; and at La Guyra was saluted by the fort and handsomely supplied with live stock, and every thing she wanted, in consequence of the benevolent behavior of the government of the United States after the earthquake.

718. Brig ——, from Halifax for Jamaica, laden with fish and oil, sent into St. Mary's, by the Saucy Jack.

## Proceedings of Congress.

Both houses formed a quorum on Monday.

*Tuesday, Dec.* 7.—Several additional members appeared—at 12 o'clock a message was received from the President, (see page 246) and read; and after some unimportant business both houses adjourned.

HOUSE OF REPRESENTATIVES.

*Wednesday, Dec.* 8.—The following committees were appointed, in pursuance of the order of yesterday:

*Committee of Ways and Means.*—Messrs. Eppes, Taylor, Roberts, Creighton, Alston, M'Kim, and Cox.

*Committee of Commerce and Manufactures.*—Messrs. Newton, Murfree, Seybert, Jackson of R. I. Baylies, Gourdin, and Grosvenor.

*Committee of Claims.*—Messrs. Archer, Yancey, Goodwyn, Law, Alexander, Bard and Davenport.

*Committee on Public Lands.*—Messrs. M'Kee, Robertson, Humphreys, Mosely, Irwin, Pickering and M'Coy.

*Committee on the Post Office and Post Roads.*—Messrs. Rhea, of Ten. Lyle, Sturges, Bigelow, Winter, Franklin, and Hall.

*Committee for the District of Columbia.*—Messrs. Kent of Md. Lewis, Pearson, Crawford, Sharp, Brown and Bradley.

*Committee on the Judiciary.*—Messrs. Ingersoll, Nelson, Pitkin, Stockton, Pickens, Montgomery, and Oakley.

*Of Revisal and Unfinished business.*—Messrs. Condit, Stanford, and Wheaton.

*Committee of Accounts.*—Messrs. Moore, Barnett and John Reed.

*Thursday, Dec.* 9.—No public business of importance done—a confidential message was received from the president, *supposed* to relate to an embargo.

# THE WEEKLY REGISTER.

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*Hæc olim meminisse juvabit.*—Virgil.

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## Legislature of Pennsylvania.

### GOVERNOR'S MESSAGE.

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

Fellow citizens,—Never has the general assembly of Pennsylvania met at a period when duties more important were to be discharged, or rights more sacred to be defended. Since the last session of the legislature, events the most interesting have have followed one another in rapid succession. Our sister states on the lakes and on the Atlantic have been invaded, and the capital of the union menaced by hostile fleets and armies. I am happy and grateful to say that under Divine Providence, the savage invaders have been repelled. A territory has been restored to the union, our western fellow-citizens now sleep in safety and pursue without fear their lawful occupations. The hands, dyed in innocent blood, which were uplifted to slay and scalp our fellow citizens, are now raised to supplicate their mercy. The mighty fleets laden with men and engines of destruction, which hovered on our coasts, infested our bays and rivers, and threatened to lay our cities in ashes, have found it expedient to depart without having accomplished any other object than that of inflaming the public resentment and exciting the profoundest detestation by their brutal inhumanity.—Ill do they estimate the American people, who presume that the wrongs done them can be consumed in the flames of defenceless villages, their resentments assuaged by the tears of their violated countrywomen, or their courage quenched by the blood of faithlessly massacred prisoners. The heart sickens, but the arm is invigorated in the recollection of the scenes of barbarism which have been exhibited on our lake frontier and our Atlantic borders. The implacable hatred of the enemy, and his desire to do evil have been sufficiently manifested, but his power has been found more impotent than had been imagined; nor have the privations of the nation been at all proportioned to what was expected, much less have we suffered the manifold calamities, which the fears of the timid, or the treachery of the factious had pourtrayed. But if all that had been predicted had been inflicted, I trust and believe the fortitude and valor of Americans would have borne them without a murmur, and that the same virtues would conduct them to victory and safety. When war was declared, the people of the United States knew that they must breast its dangers and overcome its difficulties, and they prepared accordingly; they unsheathed the sword, not to do wrong, but to compel right, and they know the value of the rights for which they contend too well ever to abandon them.

For thirty years was the attention of our government and of our people solely directed to cultivate the arts of peace as congenial with the principles of the former as they are with the dispositions of the latter. Scarcely was the theory of military tactics studied, and the happy situation of our country precluded equally the necessity of practice. To these circumstances and the having to contend with a foe inured to war, blood and desolation, it is owing that we met with partial reverses. Disasters and defeats are incident to all wars, they were anticipated—we could not expect to be exempt from the lot of other nations, but as we have more at stake than any other people upon earth, so, unshrinkingly and undismayed, ought we to meet misfortunes as to convince the enemy that our spirit is as unconquerable as our cause is just. And as the prowess of our military officers is rapidly developing and the discipline of our forces constantly improving, there is rational ground for confidence, that with the blessing of Heaven our efforts will result in a complete triumph over our enemies.—As a prelude we refer with pride to the glorious victory on lake Erie, which if ever equalled, was, in naval warfare never excelled. A victory not less brilliant in its achievment than important in its effects, not less honorable to the nation, than to the highly distinguished *Perry* who commanded and to the brave officers and men who composed that heroic force. Already is the brow of the young warrior *Croghan* encircled with laurels, and the blessings of thousands of women and children rescued from the scalping knife of the ruthless savage of the wilderness and from the still more savage *Proctor* rest on *Harrison* and his gallant army. *Chauncey*, though not equally successful with the renowned hero of lake Erie, has sought and deserves to be so. On that element claimed by Britain as her exclusive domain, the American flag waved triumphant in every equal conflict. The infant navy of the United States has given a deep, can we not with truth say, a mortal wound to the fell monster of the deep: with these truths before us, can it be deemed presumptuous to hazard the prediction, that the so lately, by the tyrant of the ocean, despised American navy, is destined completely to humble his pride—control his power, and coerce him to respect justice and the rights of independent nations Were it not the province of another upon which I should regret to intrude, it would be delightful further to dwell upon this proud and resplendent page of our history.

The state of the commonwealth of Pennsylvania is in every point of view gratifying; our treasury is more full than at any former period, and the receipts of the last year greater than that of any former—In the treasury remains as you will perceive by an exhibit to be made of your financial concerns by the accountant department, an unexpended balance of more than three hundred and forty six thousand dollars.—The produce of the earth has been abundant—All our old manufactures are thriving and many new ones are introduced, and in a prosperous way; these, however we may deprecate and deplore the calamities of a protracted war, will console us with a prospect of permanent and extensive manufacturing establishments equal to our wants, and such as will ensure the real and practical independence of our country; the erection of bridges—the completion of roads and the clearing of lands, shew the general welfare—And the recent elections not only throughout this state, but all our sister states, demonstrate the increase of public confidence to the general government and the determination also of the people to support the war with all their energies until an honorable peace can be obtained. That no effort has been left untried to attain this desirable object, will, I am confident, be satisfactorily shewn by the chief ma-

gistrate of the union in his communication to congress.

In obedience to regulations from the president of the United States, a third and a fourth detachment of Pennsylvania militia of 1000 men each, were ordered into the service of the union. The fourth detachment was to protect the shores of the Delaware, and the third to protect the vessels of war then building and equipping in the harbor of Erie in this state. The happy result of this service is amply manifested in a glorious victory to which I have alluded and the consequences that have flowed from it. The organizing and officering of these detachments agreeably to the directions of the secretary at war, was attended with considerable difficulty arising out of the inefficiency of our militia law and the discordance between our military system and that of the United States. The many defects of our system render a complete and thorough revision not only desirable and expedient but indispensible.—A conformity with the organization and regulation of the army of the United States, would facilitate the detaching for service any requisition which may hereafter be made, and prevent many of those contests between corps and officers for rank and precedence which have too frequently tended to injure the reputation of our citizen soldiers and the public service. The strong presumption that early in the spring and during the summer the enemy will invade, for the purpose of plunder and devastation, the shores of the Delaware, is, independent of all other considerations, motives sufficient to induce the adoption of all precautionary measures which prudence and foresight can suggest. The purchase of arms and ammunition and the encouragement of efficient volunteer corps, would certainly tend to inspire confidence as well as multiply the means of resistance.—Circumstanced as we are, one of our most imperious duties is to give the state an energetic militia law: our constituents expect it and our country demands it. Shall we disappoint expectations so just, demands so reasonable? In the message I had the honor to transmit to the legislature under date of the 7th of December, 1809, I submitted my opinion on this subject so fully that I cannot deem it necessary now to occupy your time with further details.

Amongst the measures adopted by the general government for supporting the just and necessary war in which the nation is engaged, is a direct tax upon property.—Possessing as our state does, the means, I cannot doubt the disposition of her legislature to give effect to her repeated professions, by appropriating a portion of her treasure for the commutation and prompt payment of the state's quota of the tax. Interest and patriotism unite so obviously in recommending this measure that the executive would not have recurred to it, were it not for the necessity there is, that the subject should be legislated upon without delay. The 7th section of the act imposing that tax, provides, that each state which determines to pay its quota, and thus avail itself of the 15 per cent. deduction, must give information thereof to the treasury department of the United States before the 10th day of January next.

At no period of our history has the immense importance of internal navigation been so strikingly exemplified as since the commencement of hostilities. The transportation of produce and the intercourse between citizens of different states, which knit more strongly the bands of social and political union, are greatly retarded, and through many of their accustomed channels, entirely interrupted by the water craft of the enemy, sinking, burning and otherwise destroying the property which it cannot appropriate to its own use. The clearing and improving our rivers and creeks, and connecting them by canals would afford us a safe, cheap and expeditious mode of transportation, in defiance of the thousand ships of our enemy. Permit me to hazard the opinion that less than one half the treasure expended by the United States for the protection of foreign commerce, if combined with state and individual wealth, and judiciously expended, would have perfected an inland water communication from Maine to Georgia. Though the accomplishment of so extensive a work may be distant, yet, much may be done towards it. Pennsylvania has the means, and I trust its legislature the disposition, to appropriate them towards perfecting one of the great links of the chain, by connecting the waters flowing in the Chesapeake with those of the Delaware.

The preservation of morals and our free institutions, together with the true interest of humanity would be much promoted and their perpetuation secured by the general diffusion of knowledge amongst all our citizens. A solemn injunction contemplating these important objects, by the establishment of schools throughout the state, though contained in the instrument from which the departments constituting the government derive their powers, remains yet to be fulfilled, on the broad plan and liberal principles which actuated those who enjoined the duty. The laws in force have done much good, a careful revision of them would probably do much more, by extending the benefits of this important branch of republican polity.

The sale of unseated lands for taxes has ceased to be a source of revenue in some counties, because the coercing payment under the present laws is unpopular and inefficient—I would suggest a forfeiture to the commonwealth of all such lands, the owner for a short period of time to have the right of redemption on payment of a double tax, the penalty in case of redemption and the whole value of the land in case a forfeiture becomes absolute, to form a school fund. Such a provision would remove the odium attached to the present procedure and the liberal minded sufferer would console himself by reflecting, that his want of attention had contributed to the promotion of a plan equally humane and patriotic.

Four years existence has proved the practical excellence of the arbitration principle, which is now incorporated with and in a great measure pervades our civil code. It is generally resorted to by the honest suitor whose object is to have an early and economical termination of a controversy. Amongst the many satisfactory results from the system is the almost immediate lien which the vigilant plaintiff creates on the state of the defendant without doing him the slighest wrong. The defects of the law, are, if any, in the detail. The local experience collected by, and concentrated in, the legislature, will dictate and secure appropriate remedies.

Permit me to suggest that the law which directs that two verdicts rendered one way and judgments thereon shall be conclusive on the parties litigant as to real estate, is by the latter requisite rendered almost inoperative. The frequent setting aside the verdicts of juries, perpetuates the evil intended to be remedied by that wholesome provision. Experience has shewn that many rules of court and rules of evidence become arbitrary and subversive of justice by their application to cases of a peculiar nature and unfitted for the application of general rules. It may elucidate and perhaps mitigate the harshness of the preceding observation to state one case of hardship from among many which occur.—Written evidence upon which principally a plaintiff may have recovered on a first trial, will not be permitted to be read in evidence on a second trial, for no other reason but because the party who had been plaintiff in the first

suit happens to be defendant on the second trial: in every other respect the cause is the same, throughout and in all its bearing, and the controversy about the same property. Is there not in such decisions something repulsive to the dictates of common sense, and would it not be promotive of justice to direct that in all cases "necessity either absolute or moral shall be sufficient ground for dispensing with rules of court and of evidence?"

The able and elaborate report of the attorney general on the subject of criminal jurisprudence, well merits an early attention. Its philanthropic principles will, I doubt not, animate the new system which humanity anticipates as the result of your deliberations.

Agreeably to a late decision of our supreme court, it would seem that in a case of larceny, committed in an adjoining state, the offender if he flies hither and brings with him the property stolen, cannot be here punished. Under this decision, which is now considered settled law, some daring offenders have already escaped, and if such a practice be continued, it will encourage theft in the adjoining states in proportion as the impunity afforded by our courts becomes known. This rule of action thus laid down by our supreme court must become still more alarming and injurious if extended, as it is presumed it must be, to the receivers of such stolen property.—It would seem also, that the efficacy of the writ of habeas corpus is much weakened by the act of the 3d of April, 1809, defining contempt of court: For the information of the legislature on this subject, I shall shortly transmit extracts of a letter from the attorney-general, shewing the inefficiency, and pointing out also defects in that important law—the habeas corpus act.

The frequent applications made for pardons for convicts sentenced to imprisonment at hard labor, founded solely on the want of apartments wherein to employ them, and of necessary tools and materials, point out the necesssity of an imperative injunction on county commissioners to provide the requisite means for the attainment of the ends contemplated by our humane penal code. The case of an unfortunate fellow mortal, now under sentence of death, and who has from the most conscientious motives been twice respited, impels me to state to you, my fellow-citizens:—That in Pennsylvania, famed for the justice and mildness of her penal code, where a contest for six dollars has the full scope of legal investigation extended, even to the supreme judicial tribunal of the state, yet when the life of a citizen is at stake, he shall be hurried through all misapprehensions of witnesses and jurors and errors of courts to an untimely and disgraceful death. For him there is no court of revision, of errors or appeals, nor has he any remedy other than in the mercy of the executive, and that remedy is an absolute pardon, the justice of which must be often doubtful, and would sometimes be culpable: To your judgment and feelings it is submitted whether essential alterations ought not to take place in this system.

Horse-racing, a vice of the most baleful kind, both as to its immediate and consequent effects on morals, continues to be predominant over the laws making penal that cruel and unchristian sport. In despite of the magistracy and the efforts of other good citizens, the laws are violated with impunity, because of the extreme difficulty to prove facts, essential to a conviction, which ingenuity is never at a loss to conceal. I beg leave to reiterate the opinion, that the forfeiture of the animal, brought for the purpose of racing on any ground, is the most effectual mode to stay the mischief.

Much mischief to the morals and to the industry of the state are likely to result from the flood of paper thrown into circulation by unincorporated banks. That this is done in despite of an existing law is too obvious to have escaped your notice. The objections which I felt it my imperious duty to submit to your predecessors against the passage of a general banking law, and to which I beg leave to refer you, apply with double force against the practices now pursuing by unauthorised associations throughout the state. The hand of an independent, disinterested and enlightened legislature will, I trust, correct the evil.

Tavern licences, regarded as sources of revenue, from the sameness of the sum paid for them throughout the state, with the exception of the city of Philadelphia, and some contiguous places, operates very u equally, when we compare the emoluments arising from houses of entertainment in different districts of the state. The sum to be paid into the treasury ought to be in proportion to the benefit derived from the privilege granted. A discrimination, founded on some general principle, suppose on the rent paid or the value assessed on the premises occupied as a tavern; such a scale of prices would be more equitable, and would in all probability be productive of other advantages besides those connected with the treasury.

The provisions of a resolution of a late legislature, have resulted in the accumulation of materials believed to be amply sufficient for the formation of an explicit fee bill. It is due to the people and to the public officer that fees of office, for similar services, should be uniform, and in no case should the sum to be paid depend on the discretion of the officer receiving or the individual paying. I would suggest also the establishing by law, of the pay and other expences to be allowed sheriffs for the transportation of convicts to the Philadelphia prison, as a measure calculated to prevent embarrassment in the accountant department.

The number of new counties which have been erected out of old ones, has so entirely deranged the districts heretofore established for the appointment of justices of the peace as to render difficult a compliance with the constitutional injunction, that a competent number of those officers shall be commissioned, in convenient districts. Inconvenience is also felt in all the counties lately organized for judicial purposes, to which the law of the 4th April, 1803, does not extend. A new law containing similar provisions to the law just referred to, has therefore become necessary.

The threatening attitude assumed by the enemy on lake Erie and the Delaware, induced the expenditure of a portion of the $50,000 placed by the legislature at the discretion of the executive. It has been appropriated to the repair of arms, the purchase of ammunition and camp equipage, an account of it and of the monies expended, as additional compensation to those of our militia who had faithfully served under any of the requisitions of the president of the United States, will so soon as the proper department shall have been furnished with necessary vouchers, be laid before you; and also an account of expences incurred by the call of major-general Mead, on the first brigade of its division, for the defence of the United States' flotilla then in the harbor of Erie.

The million of dollars authorised by a law of the last session to be subscribed to the loan opened by the United States government has not been subscribed. The time necessarily consumed in enacting the provisions deemed necessary by some of the banks before they would pay over the sums they proposed to loan to the commonwealth, so far

delayed the completion of the loan required by the state, that the books for receiving subscriptions to the loan of the U. States were closed before a copy of the supplementary law passed by the legislature could reach Philadelphia. Full information of every thing done by the agents I had appointed to negociate and complete the loan, subsequent to my communication of the 25th March last, shall be laid before legislature.

Agreeably to a law of the last legislature, a plan has been approved for an arsenal in the city of Philadelphia, and a contract for its execution formed, now nearly executed. The various other duties enjoined on the executive, by laws and resolutions, have, I trust, been performed in a spirit correspondent with the motive that dictated the several injunctions.

I have thus, fellow-citizens, explicitly communicated such information, and recommended such measures as experience and reflection have suggested, and it will be gratifying to my feelings, and I trust not injurious to the interests of our constituents, if you, agreeing in opinion with me, shall sanction with your approbation the measures I have suggested. If we differ as to the policy or expediency of any particular measure, I am sure it will be an honest difference, and mutual respect will teach us to give credit to each other, for upright intentions, pure motives, and conscientious convictions emanating from patriotic principles.—Your selection from, and residence in, the various districts of the state, has given you such opportunities of knowing the wants and wishes of the people, and assembled in you such a body of information, of public feeling and public opinion as never can be collected under any other than a republican government, truly impresses you with the character of representatives of the people, and secures for you that respect and confidence which necessarily attaches to so important a station. I shall at all times cheerfully co-operate with you in the adoption of any measure calculated to promote the freedom, interest and happiness of our constituents.

SIMON SNYDER.

*Harrisburgh, 19th December*, 1813.

# Legislature of Maryland.

EXECUTIVE COMMUNICATION.—IN COUNCIL.

*Annapolis, December*, 8, 1813.

*Gentlemen*—In virtue of a resolve of the general assembly, at its May session, the treasurer was directed to borrow 307,000 dollars; the terms upon which the loan was effected, will appear by the report of the treasurer. As soon as the money was obtained, steps were taken to procure arms, ordnance and military stores for the state, and considerable purchases were made; but owing to the interruption of intercourse between the states, they could not all be received in time to be sent to those parts of Maryland which are most exposed to danger.

Soon after the adjournment of the legislature, an order was passed for a return of the public records and papers to the seat of government; but in consequence of the approach of a considerable naval force of the enemy, it was found necessary again to order their removal, and they were sent to the town of Upper Marlborough. It has been deemed expedient to direct, from time to time, a return of such of them as were necessary for the purpose of holding the courts; but the board has passed no order for the removal of the rest, and it is submitted to the legislature what shall be done in regard to them. It is certainly much to be desired that the offices should be kept open for the transaction of business; but besides the difficulty of removing the records from the seat of government in time, whenever the appearance of the enemy may require it, there is considerable danger of their being lost or destroyed by frequent removals. The legislature will see the necessity of making some further provision with respect to them. The resolution of the last session does not make it the duty of the officers to open their offices at the place to which their records are removed, and by confining the authority thereby conferred upon the executive to two counties, it has been found impracticable to procure the necessary accommodations for the officers.

The attention of the legislature will of course be directed to the militia system; in its present state it is almost a dead letter, and without power to compel the service of those who, on any sudden emergency, are unwilling to assist in the defence of the country. It is not, and cannot be expected, but while those who understand the defects of the system, contrive to avoid the service, others will engage in it with cheerfulness, and consent to bear an undue proportion of its burthen and sufferings. It was not designed by the wise framers of the constitution to leave it to each member of the union to defend itself, and after having surrendered to the general government the most material sources of revenue, it is impracticable for the individual states to bear the burthen of any extensive system of defence. It was therefore expressly provided, that the United States should protect each individual state against invasion; and the militia or other force of the latter, was designed to be employed only on sudden emergencies, and until the national government should come to its relief. If the expences of a war waged by the national authorities, are to be borne by the states, it is not difficult to foresee, that the state treasury will soon be exhausted, and the annihilation of the state government must follow. We had an unquestionable right to expect, that in a war declared by ourselves, the nation would have promptly afforded to us the protection which the constitution has so solemnly guaranteed to every member of the union. Instead of this, however, we have to deplore the ravages and distresses which have been produced in different parts of Maryland, by the incursions of the enemy, and that its most exposed places have been left in a defenceless and unprotected situation. Thus abandoned by the national authority, and without any well founded prospect of a speedy termination of the present disastrous war, it is for the wisdom of the legislature to devise the means of defence, which, upon any future invasion, the state authorities shall afford. We must again be permitted to recommend to the legislature the organization of volunteer corps of infantry (to be mounted) and which would at this time be found the most efficient force for the kind of warfare in which we are engaged. In some places, threatened with invasion, this species of force has been resorted to, under an idea that it was authorised, and because found capable of affording the most service; the pay-rolls of those men, when presented to us, we have been under the necessity of rejecting, because the legislature had refused its sanction to their organization.

We would also call the attention of the legislature to those clauses of the militia law, which establish the rules and articles of war for the government of the militia, while in actual service; we do not mean to question the propriety of such rigorous rules for the government of a regular army, nor do we mean to say, that the militia, while in service, ought to be subject to no regulation, but we persuade ourselves, that the legislature can devise rules for the government of the militia, without depriving them of any of the essential privileges of freemen, and subjecting them, for offences undefined, to the most cruel and opprobious punishment.

We take the liberty also of submitting to the legislature, the propriety of adopting a system of general education; no subject, upon which its wisdom can be employed, is of more vital importance, or can have a more imperative claim to its attention. Governments, like those under which we have the happiness to live, depend for their existence and prosperity upon the intelligence and virtue of their citizens; and to place the means of education within the reach of every description of the people, ought to be the primary concern, as it is the unquestionable duty, of the legislature of every free state. It is one among the many causes which we have for deploring the present war, that it diminishes those resources, which ought to be employed in the education of our youth; we still, however, think, that if, in the opinion of the legislature, funds can be spared for the purpose, the work should be commenced, and a system matured for the establishment of schools in every part of the state.

The amount of claims for pay and rations of militia, called into service in the course of the last summer, already sanctioned by this department, exceeds one hundred and six thousand dollars; a more particular account cannot, at this time, be given, as the board is still acting upon those claims, and many of them are yet to arrive.

For the purchase of arms and military stores, orders have been drawn to the amount of sixty-nine thousand six hundred and seventy-five dollars; but a considerable sum is yet due on this account.

We have the honor to be, with much respect, your obedient servants,

LEV. WINDER.

*The honorable the*
*General Assembly of Maryland.*

# Legislature of Virginia.

GOVERNOR'S MESSAGE.

*Council Chamber, December 6th*, 1813.

TO THE SENATE AND HOUSE OF DELEGATES.

*Fellow-Citizens*—I had the honor to communicate to you at your extra session the most important events of the war in relation to this commonwealth which had occured previous to that period.—Among which the occupation of our waters by the enemy, was the most prominent. His squadron, after your adjournment, continued to receive large accessions; on board of which it was ascertained there were considerable land forces. The conclusion seemed to be inevitable that he meditated serious designs against our safety, and had determined to make us bear the brunt of the war. Virginia did not regret that she had been thus honorably distinguished.—Although sacrifices both private and public might be the consequence, they were not equal to the dust of the balance in the estimate of a brave and generous people, waging a war in defence of the unalienable rights of freemen. Notwithstanding the enemy's force was an imposing one, particularly in reference to the peculiar nature of our eastern frontier, and therefore, called for our unwearied attention; yet no apprehension was indulged as to the final result, if even a small portion of our ample resources should be judiciously applied. The executive adapted its course to the occasion, and in addition to the precautionary measures which had been adopted in anticipation of this state of things, called out considerable reinforcements of militia,—a few days elapsed, after these steps had been taken, before the enemy commenced his operations by an attack, in great force by land and water, on Crany-Island. The result

of this attempt, so humiliating to him and so honorable to our brave countrymen who repelled it, is known to you. It would have been scarcely credible, but for the fact having really occured, that three thousand disciplined troops could have been repulsed, with slaughter, by six hundred militia, recently called into service, with no other aid than a half finished redoubt, and the generous co-operation of a few brave volunteers from the navy. After undergoing this disastrous catastrophe, the enemy receded, and bent his course to Hampton:—A result to his arms scarcely less dishonorable than at Crany-Island, awaited him there. Here too his attack was made by land and water, with a force variously represented; but without doubt, in a ratio compared with ours, of five to one. Although our little band was constrained to yield to a force so overwhelming, yet they acquitted themselves as became Virginians, and by the impression they made upon the enemy, gave him ample cause of regret for his attempt. Having obtained possession of this little hamlet, a loose was given to violence and to rapine, and to lust, which leaves an indelible stain on the British character.—Private houses were plundered, grey hairs were exposed to wanton outrage; a sick man in his bed was murdered, under circumstances of peculiar aggravation; our respectable females were publicly borne off, to suffer the last degree of unutterable violence, from ruffians who turned a deaf ear to their supplications and frantic screams; and filling up the measure of their crimes, they sacrilegiously plundered the house of God.—The melancholy tidings of the fate of Hampton were heard with horror; and at their recital a blaze of indignation burst forth throughout America. Outrages like these called for severe animadversion. They should have been atoned for by the condign punishment of the offenders, or by some terrible measure of retributive justice. The subject, however, belonged to the general government, to which it was referred. The correspondence relative thereto will be found in packet A.

The enemy having given this character to the war; having occupied a part of our territory, his force represented as very considerable, and it being difficult to conjecture what would be his next object; the executive adopted such defensive measures, as, in their opinion, the exigency called for, transmitted to the president of the United States full information of our situation, and advised him of their having called out considerable detachments of militia: a measure which received the sanction of his approbation. I have caused the adjutant-general to prepare, for the information of the general assembly, a detailed report (which is among the documents marked B.) of these measures, as well as of every other adopted by us, for the defence of the state, and also of the operations of the enemy which have been limited to predatory incursions along the banks of our navigable bays and rivers, and every where marked with a character utterly unworthy of a civilized nation. By reference to which report, will be seen the various calls which have been made upon the militia at different periods, with the causes leading thereto,—the number now in the service of the United States, and their respective positions. This report is intended for the legislature only, unless indeed in their estimation, its publication or particular parts thereof be deemed expedient. In that document will also be seen the incongruity with our state system, of the regulations of the war department, relative to the appointment of officers in detachments of militia called for by the general government; my unavailing endeavors to obviate their effects in our requisitions, and the consequent exclusion from service of some of the officers detached by my general orders of the 16th April, 1813. In conformity with the request of the secretary of war, I beg leave to present the subject to your consideration.

Notwithstanding the calls on our citizen soldiers have been numerous, and in the section of the commonwealth contiguous to the theatre of action particularly inconvenient, as whole regiments have been frequently placed in service, they have nevertheless displayed generally, a degree of alacrity and cheerfulness which give them lasting claims to the gratitude of their country.—Numerous were the examples of patriotic citizens who voluntarily abandoned their domestic enjoyments, and rallied around the standard of their country in the hour of her supposed danger. It furnished a spectacle highly gratifying to the patriot, and an illustrious proof of the energy of freedom. Nor was this generous ardor confined to ourselves: it embraced also our fellow citizens of North Carolina, who embodying under major-general Calvin Jones, made a tender of their service. The documents transmitted (marked C.) will disclose the very satisfactory reasons which prevented the consummation of their honorable intentions. Such a distinguished proof of friendship cannot but make an impression on our minds the remembrance of which will be cherished with our fondest recollections.

In reviewing the events of the year, reflecting upon the great force of the enemy, and the extent of his designs, the length of time he remained in our waters, his capacity to fly or fight as circumstances dictated, and the result of his achievements every where covered with disgrace, there is on our part ample ground for exultation, mingled with gratitude to that Providence which delights to dispense to us so many instances of his kindness.

The various measures of defence adopted by the executive, as well as frequent calls upon their respective regiments by the colonel commandants under the militia law, have necessarily been productive of considerable expenditures. The amount will be seen by reference to the accompanying document marked D; and it is believed on investigation, they will have been warranted by a just regard to the protection of the state, and, consequently, will found an irresistible claim upon the justice of the general government.

Congress at their last session imposed a direct tax on the United States, with an alternative to the state governments of discharging their respective quotas; in which event a discount is to be made of fifteen per centum if it be paid into the treasury of the United States before the tenth day of February next, or of ten per centum if paid before the first of May. The quota of Virginia is three hundred and sixty-nine thousand eighteen dollars and forty-four cents.

It is submitted to the legislature whether the propriety of an assumption on our part is not dictated as well by considerations of economy as with a view to furnish to the world a solid proof of our determination heartily to co-operate with the general government.

The painful duty devolves on me of announcing to you a vacancy in the council of state by the death of general Wood. The war has another hero of the revolution paid the great debt of nature; his distinguished services will still survive in the memory of a grateful country.

Nothing has transpired, since your last session, which indicates the least change in our foreign relations. The enemy can be made sensible of the unjust and unprofitable conflict in which he is engaged, only by a vigorous and successful prosecution of the war. The distinguished success which, with scarcely an exception, has every where crowned our efforts, both by sea and land, is therefore a peculiar source of gratification, and on which I beg leave to congratulate you. The illustrious proofs of the valor and skill of our army and navy which the events of every day are evolving, united with perseverance on the part of the nation and the hope of Divine aid inspired by the justice of our cause, leave us little to apprehend as to the issue of the war.

The period, fellow-citizens, in which we are called to act, is the most eventful in the annals of the world. Both hemispheres are bleeding under the dreadful scourge of war. And, from the prodigious efforts which are made in the old, the present crisis seems to be in travail with the destinies of half mankind. What will be the result, or what will be its consequences to US, all trying time must decide. In any event it behoves us to be sensibly alive to the magnitude of the occasion and to prepare for any result. Let us practice forbearance and moderation one to another, cherish concord and brotherly love, draw close the cord of union, and thereby give full and undivided scope to the energies of our country.—Watch with vestal vigilance the lamp of liberty which can be kept alive only by practising republican virtues; but above all let us humble ourselves before the throne of God, who, in the moment of his displeasure, seems to be emptying the vial of wrath upon a guilty world, and fervently conjure him to avert from our comparatively happy shores that wide waste of desolation which has overwhelmed the other hemisphere. The present crisis, fellow-citizens, is one of probation both to the nation and to individuals. Should America, animated by a just regard for her rights, perseveringly continue the contest in despite of the sacrifices inseparably incident to war, until she shall have conquered an honorable peace, the heroes and patriots of the present day will be deservedly ranked with those of the revolution. Should a contrary course obtain, the consequences would be such as the mind of the patriot shrinks from contemplating. Every individual is solemnly bound to discharge with fidelity the part assigned him; and, in proportion to the share of public confidence he enjoys, the sacredness of this obligation is increased. Suffer me to assure you that by a strong sense of this duty, I have been invariably guided in performing the various acts of high responsibility which have devolved on me, at a time as momentous as embarrassing: and should I have erred (as is highly presumable, being directed by a very fallible judgment,) I shall, nevertheless, confidently throw myself on the liberality of an indulgent country; not doubting it will duly appreciate the difficulties of the occasion, and in any event, do ample justice to the *motives* which have influenced my endeavors to discharge the solemn duties imposed on me by my station. I tender to the representatives of the people convened in general assembly my best wishes for their personal happiness, with a fervent prayer that their counsels may continue to be guided by energy, patriotism and wisdom, and that the result may be propitious to the safety, liberty and happiness of our country.

J. BARBOUR.

# Legislature of South-Carolina.

*Message, from his excellency, the governor, delivered to the legislature of this state, on Tuesday, 23d November, 1813.*

Fellow-Citizens,—To have been able to congratulate you upon the prospect of returning peace, and a frank and honorable accommodation of all differences with our enemy while it would have been unaffectedly gratifying to my own feelings, would have been the source, I am persuaded, of not less satisfaction to you, and to our country generally. Too humane to behold the effusion of blood with European indifference, or to consider the materials of which fleets and armies are composed, as mere instruments for the gratification of those angry passions or selfish policy of those who direct them; we do not forget that, however unavoidable are contest, the fall of every patriot soldier clothes some family in mourning: Too just to offend or violate the rights of others, we desire only to resist encroachments, and to repel the violation of our own rights: Too wise and reflecting to be dazzled by the glare of military trophies, or seduced by the false glory of conquest, the only object of our ambition is the quiet enjoyment of the blessings lavished upon us by a bountiful Providence, and the undisturbed prosecution of our fair and lawful intercourse with the world. True to this policy, which they have uniformly professed, and honestly acted upon, those to whom has been committed the conduct of our foreign relations, have not ceased, since the commencement of hostilities, to manifest an anxiety for the restoration of peace, commensurate with the reluctance with which they found themselves compelled to resort to arms. In its zeal for the promotion of an event so interesting to humanity, and so obviously demanded by the true policy to both belligerents, our government has not scrupled to adopt measures for negociation, which certainly might have been rejected, without any just impu-

ration of either fastidiousness or unreasonable pride. Unhappily, however, the moderation and conciliatory disposition manifested on our part have not only failed in meeting a correspondent disposition on the part of the enemy, but there is too much reason to believe that such a disposition is only to be induced by the firm and vigorous application of our means of annoyance and distress. To institute measures adapted to this end, and to direct the energies of the nation in such a manner as shall produce upon the enemy the strongest impressions, belongs exclusively to the general government. The defensive preparations, however, which shall be considered necessary to the better security of our own coast, as they cannot fail to be deeply interesting to us, so they will doubtless obtain from you all the attention they deserve. Every thing, it is believed, which depended upon the executive, has been done. Purchases of arms and munitions of war, to the full extent of the appropriations subject to the control of this department, have been either actually made, or contracted for: the general staff has been organized: the militia have been so classed that, should occasion require, any number of regiments can be gotten into the field without delay; and such military positions as were deemed requisite have been directed to be occupied. The extension, or contraction, of these plans of defence will, of course, be determined by the appropriations which you shall think proper to make.

A report of the expenditures for military purposes, during the present year, will in a few days be laid before you.

In inviting your attention to our militia system, the subject has been so often under your review, it is scarcely necessary to remind you of its defects. A general revision of it is strongly recommended. In doing this, the necessity of rendering more frequent, at the discretion of the commanding officers, musters by companies, battalions, regiments and brigades, and also of making at least annual, instead of biennial, the encampment of the officers of each brigade, will not fail to present itself. I suggest to you also the policy of increasing the number of our divisions. While these are, at present, so few, that in the event of our troops acting in conjunction with those, either of the United States or a sister state, our general officers must always invariably be outranked; they are so large, and embrace such an extent of territory, that the command of them is not only inconvenient but burdensome.

It is not in the military system only, that you will find room for improvement. One penal code calls loudly for correction. To adopt laws to the character of the people for whom they are intended, is the first maxim of the legislature. The political institutions derived from our ancestors, have been long since liberalized and improved: let us not continue to outrage the feelings of our countrymen, by retaining the barbarous and unequal system of punishment derived from the same source. That punishment should be proportioned to crime, is the language not only of humanity, but of justice. In a code, however, where the *ultimum supplicium* is allotted to not less than one hundred and sixty-five offences, the idea of observing this proportion is idle. Let me earnestly recommend to you then, to substitute for the punishment of death, imprisonment and hard labor. Penitentiaries have been established in so many of our sister states, that the superior efficacy of this species of punishment is no longer theoretical, but demonstrated by experience. It is urged therefore with the more confidence upon your adoption.

In examining our judiciary system, it offers so much to be admired, that perhaps, it may be considered almost invidious to search for defects. One improvement, however, so forcibly suggested itself that I cannot forbear presenting it to your consideration: it is the establishment of a high court of error and appeal, to be composed of judges, separate and distinct from the circuit court judges, and to exercise appellate jurisdiction only. The delicacy felt in revising the decisions, the reciprocal bias towards the opinions of each other, inseparable from the strongest and purest minds, where the original and appellate jurisdictions are committed to the same persons, though a weighty, is by no means the only objection to the existing system. At present, the judges assemble for the purpose of hearing appeals at the close of every circuit. With minds harrassed and worn out by previous exertion, it is obvious as well not only impossible, however distinguished their ability, that they should be capable of that full, deliberate and patient investigation due to the important points usually submitted to them: but the annual accumulation of cases on the appeal docket demonstrates, that, with all their diligence, more time is requisite for the business of the appeal, than can be spared from the circuit courts. The institution of the court suggested would not only obviate these defects, but, it is believed, would be the most effectual mean of securing that uniformity, impartiality, and correctness of decision so desirable in our judicial proceedings.

Other subjects of communication, omitted on the present occasion from the indisposition under which I write, will in a few days be laid before you.

I supplicate for you the favor of our God, and beseech him in his infinite goodness, to render you the instruments of usefulness, of honor and happiness to our country. JOS. ALSTON.

*Columbia, November* 23, 1813.

## Maria Louisa Bonaparte.

The situation of this lady, empress, queen and regent of France and Italy, wife of Bonaparte and daughter of the emperor of Austria, with whom her husband is at war, is very peculiar, and her conduct is calculated to excite more than ordinary interest. The following proceedings may serve to illustrate her sentiments and develope her character, in the conflict of opinion that may be supposed to agitate her.

PARIS, Oct. 8.—Yesterday at one o'clock her majesty the empress, queen and regent, sat out in state for the Thuilleries, to repair to the senate; and having ascended her throne, placed on the left of the emperor, and the grand dignitaries of the empire having taken their proper places, she pronounced the following speech:

"SENATORS: The principal powers of Europe, indignant at the pretensions of England, had, last year re-united their armies to ours, in order to obtain the peace of the world, and the re-establishment of the rights of every nation. At the first vicissitudes of the war, the slumbering passions awoke.—England and Russia have dragged Prussia and Austria into their cause. Our enemies wish to destroy our allies in revenge for their fidelity; they wish to bring war into the bosom of our beloved country, as a retaliation for the triumphs which have carried our victorious eagles into the heart of their states. I know better that any one, what our people would have to suffer, if they ever were conquered. Before I ascended the throne, where the choice of my august husband and the will of my father called me, I had the highest opinion of the courage and energy of this great nation. This opinion has daily encreased, by every thing that has fallen under my observation. Familiar for four years with the most intimate thoughts of my husband, I know the sentiments that would agonize him upon a throne disgraced, or a crown without glory.

Frenchmen! Your emperor, your country and honor call you."

After which the minister of war ascended the tribune, read a report addressed to the emperor. At the conclusion of which, count Regnaud, one of the two orators of the council of state, presented to the senate a project of a Senatus Consultum, the object of which was the levy of 280,000 men, besides 30,000 to reinforce the armies in Spain.

Count de Lacepede rose and addressing himself to H. I. and R. majesty, said—

"MADAM: Before proposing to the senate measures relative to the project which has just been laid before the senate, I have the honor to beg your I. and R. M. to deign to permit me to offer you, in the name of my colleagues, the respectful homage of all those sentiments with which we are penetrated, in seeing your majesty preside over the senate, and hearing the memorable words that you have just uttered from the height of your throne.

With what gratitude, with what religious cares, we shall forever preserve the remembrance of it!"

SENATORS! I have the honor to propose to you to refer to a commission, the project of the Senatus Consultum which has just been presented by the orators of the council of state. This passed *nem. con.*

# Events of the War.

## MISCELLANEOUS.

ARTS OF THE ENEMY.—At the moment that congress convened, the sound was blockaded by the *British*, to let us know that we should not send out *provisions*, if we would feed our enemy—and, the *English* papers in our sea-port towns were simultaneously filled with extracts of letters from *Lisbon*, &c. &c. &c. to shew, that if we did send out provisions, they would not pay the freight. *This concord and concert is perfectly understood, and will avail the enemy nothing.*—It may be well to observe, for the sake of future times, that many of these accounts of the price of provisions, were headed with the word "IMPORTANT" in capital letters!

CONTEMPTIBLE.—Many of the little craft captured by the Plantagenet, of *seventy-four guns*, are ransomed at the price of from one to two hundred dollars each. A great business this, for a ship of the line! Among his captures was a vessel with an *organ* for one of the episcopal churches in *New York*. Now, a *gentleman* might suppose that *this* article would have passed harmless. No; no;—they who *robbed the church at Hampton*, demanded and received for its ransom $2,000. I ask emphatically, and let every one answer the question—*Is there an officer in the American navy that would do this thing?* The commander of a row-boat privateer would despise it.

MARITIME POWERS.—The navy of *Great Britain* consists of about 1050 vessels, large and small, 6 0 of which are in commission—that of *Russia* is 53 sail of the line, 34 frigates, 59 cutters and brigs, *in all* carrying 4,428 pieces of cannon. The *Swedish*, of 12 sail of the line, 8 frigates besides cutters and gun-boats, &c. building two of the line and three frigates. The *Portuguese* have 8 sail of the line, 3 frigates and 4 sloops at the *Brazils*, and some unserviceable vessels left at Lisbon. The *Danes* have 4 ships of the line, 2 frigates, and many gun-vessels. And the *French* navy consists of 65 ships of the line, 61 frigates, ready for sea, and 32 sail of the line, and 26 frigates fitting out or building. The *American* navy is only 8 or 9 frigates and 10 or 15 smaller vessels (the lake flotillas excepted) which make more *noise*, and excite more *apprehension* to the *British*, that all the other navies of the world.—This is fact. The capture of *Rodgers* by an equal force, would, in the estimation of mankind, surpass in glory the conquest at the *Nile* or *Trafalgar*; and, when *Rodgers* is taken alive, by *an equal force*, the enemy *may* rejoice.

EMIGRATION.—A Worthington, (O.) paper of the 24th ult. says, "many families have lately arrived here from *Lower Canada*, and we are informed that a great number are on their way thence to this state." A mighty population is pouring into Ohio, since the capture and dispersion of the allied savages!

PIOUS AND REVERENTIAL.—From the *Boston Gazette.—Extract of a letter from a gentleman in Albany, Nov.* 24.—"Every hour is fraught with doleful tidings from the north: humanity groans from the frontiers—Hampton's army is reduced to about 2000—Wilkinson's cut up and famishing—crimination and recrimination is the order of the day. Democracy has rolled herself up in weeds, and lain down for her last wallowing in the slough of disgrace. Armstrong, the cold-blooded director of all this military anarchy, is still here, but chop-fallen.

"No profane allusion; but
Now lift, ye saints, your heads on high,
And shout—for your redemption's nigh."

"A PEACE PARTY MAN."—A writer in the *Democratic Press* declares that PERRY is the greatest "*peace-party-man*" in America—for that he *gave peace* to all that part of *Upper Canada* that lies above the lower end of lake *Erie*, and to the whole of our frontiers *from Buffalo to St. Louis*: saying, that when he had made peace on the *water*, he volunteered his aid to make peace on the *land*. He therefore devoutly exclaims, "*blessed be* PERRY *the peace maker.*" To which we heartily say, AMEN.

A NEW YORK MARKET.—New-York city has, heretofore, obtained a large portion of its supply of pork from *Connecticut*; but the *Columbian* tells us that one person in New-York put up $15,000 worth of that article for an eastern market the present season.

BRITISH SYMPATHIES.—As every thing that is *British* is to be extolled by the *English* "writers" in America, the following notice has run its round in our papers.

"Norton, the indian chief, frequently spoken of during the present war, in Upper Canada, is a man of education, has travelled in Europe, and been received with distinguished attention for his talents and amenity. While in England in 1804, he translated the gospel of St. John into the Mohawk language, which was printed at the expence of the Bible Society. His indian name is *Tevoninhokaraeen.*"

Now this *Norton* must be a very devout, "religious" and magnanimous man. He fights for *England*, and *that* shows his devotion to "liberty." But why did not the knaves tell us that this *pious* "translator of the gospel of St. John," crossed the Niagara river in the dead of the night for the purpose of shooting an *American* sentinel in cold blood? *Holy Norton!*—ALLY OF ENGLAND!—MIDNIGHT MURDERER!

COMMODORE BAINBRIDGE was introduced to the common council of New-York, last week, and presented with the freedom of the city. He also partook of a public dinner in that city.

HARRISON AND PERRY.—In the signal victories gained over *Barclay's* fleet and *Proctor's* army, (says the *Boston Chronicle*) it is impossible to separate the brave and victorious commanders, *Perry* and *Harrison*. The circumstances are indeed very striking. *Harrison* sent re-inforcements to assist *Perry*, and the action terminated in the *capture of the whole British fleet*. In return, com. *Perry*, volunteered with *Harrison*, and assisted him in *the capture of the British army*.

In the following letter *Perry* does justice to the zeal of *Harrison* and his gallant soldiers—

*U. S. schr. Ariel, Sept.* 15, 1813.

SIR—The very great assistance, in the action of the 10th inst. derived from those men you were pleased to send on board the squadron, render it a duty to return you my sincere thanks for *so timely a reinforcement*. In fact, sir, I may say, *without those men the victory could not have been achieved*; and equally to assure you, that those officers and men behaved as became good soldiers and seamen. Those who were under my immediate observation, evinced great ardor and bravery. Captain Brevort, of the second regiment of infantry, serving on board the Niagara, I beg leave to recommend particularly to your notice: he is a brave and gallant officer, and as far as I am capable of judging an excellent one. I am convinced you will present the merit of this officer to the view of the honorable secretary of war as I shall to the honorable secretary of the navy.

Very respectfully, I am, sir, your obedient servant.
(Signed) OLIVER H. PERRY.

*Maj. gen. W. H. Harrison, commander in chief of the N. W. army.*

Commodore *Perry*, also, while at *Albany*, spoke in the highest terms of eulogium on the *Kentucky volunteers*, and in strains of admiration of the veteran *Shelby*. He represented them as "brave even to imprudence" as "liberal, generous and humane, almost to a fault."

GENERAL HARRISON partook of an entertainment at Philadelphia, on Thursday the 9th inst. His suit was also invited. The regular toasts being drank, the general rose, and "with much impressiveness of manner" said—

"*Gentlemen*—Permit me to offer you a volunteer toast and very briefly to state the motive which prompts me to take one of the regular toasts of the day as a mean of communicating my opinion. Believing, as I do, that a sentiment is gaining ground unfriendly to republicanism and injurious to the nation, and knowing from my own experience, that the sentiment is not well founded, I will give you

"The militia of the United States—they possess the Roman spirit, and when our government shall think proper to give them that organization and

discipline of which they *are* susceptible, they will perform deeds that will emulate those of the legions led by Marcellus, and Scipio."

On his way to the seat of government and route home, general *Harrison* stopped at *Baltimore* on Monday last, and was waited upon and congratulated by many of our citizens. It would seem as if he and commodore *Perry* had agreed to praise each other; for while the former speaks of the commodore, his officers and men with rapture, the latter is no less eloquent in praise of the general and the brave men under him. This is delightful. General *Harrison*, also speaks of *Chauncey* as a patriot, gentleman and seaman, with great warmth.

"*Our friends in the north.*" A *Halifax* paper, of October 8, has the following paragraph, speaking of the "gloom" occasioned by the capture of *Barclay's* fleet, and *Proctor's* army——

"Had we not the means of being as well prepared as the Americans? *Certainly we had every superiority in that respect, and in every other*—but we *wisely* forbore to make offensive war in Canada, lest our FRIENDS OF THE NORTHERN STATES SHOULD BE OFFENDED, and therefore made actual invasion in the southern with a force inadequate *to cause a division.*"

"*Straws shew which way the wind blows.*" The *English* printers on both sides of the Atlantic, always speak of *British* vessels of war, as "*his majesty's*;" that is, as belonging to *their king*; for they give no national designation. We might collect fifty cases a week of this kind of——"*French influence.*"

The *British* prisoners taken by com. *Chauncey* [210] on lake *Ontario*, have arrived at *Pittsfield*, (Mass.) where they will remain for the present.

The legislature of *Georgia* have passed a bill for the immediate payment of that state's quota of the direct tax, from the funds of the state.

A *New York* paper of the 13th notices, in its ship news, the arrival of nineteen coasters at that port, the blockade notwithstanding.

Notwithstanding the blockade of our coast, many valuable vessels get out and many arrive. Among the latter, during the last week, we notice three or four very rich ships from the *South Sea*, laden with oil, &c.

A writer in the *Albany Argus*, with great ability, urges the appointment of a lieutenant general for the command of the armies on the northern frontier. If the measure should be adopted, it appears as if the people would expect *John Armstrong* or *James Monroe*, to fill that high office.

GOVERNOR CHITTENDEN.—The following extracts from a law of the United States, passed 28th February, 1795, approved by president WASHINGTON, has been published as applicable to the proceedings of the governor of *Vermont*, and his agent.

"Sec. 1. *Be it enacted*, That whenever the United States shall be invaded, or in imminent danger of invasion from any foreign nation or indian tribe, it shall be lawful for the president of the United States to call forth such number of the militia of the state or states most convenient to the place of danger, or scene of action, as he may judge necessary to repel such invasion; and to issue his orders for that purpose, to such officer or officers of the militia as he shall think proper.

"Sec. 2. *It is enacted*, That whenever the laws of the United States shall be opposed or the execution thereof obstructed in any state by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals, it shall be lawful for the president of the United States to call forth the militia of such state or states as may be necessary to suppress such combination, and to cause the laws to be duly executed; and the use of the militia so to be called forth, may be continued, if necessary, until the expiration of thirty days after the commencement of the then next session of congress.

Sec. 5th *Provides*, That every officer who shall fail to obey the orders of the president of the United States, in any of the laws before cited, shall forfeit a sum not exceeding one year's pay,; and such non-commissioned officers and privates shall be liable to be imprisoned.

"Sec. 9, Gives the same power to marshals and their deputies, in executing the laws of the United States, as sheriffs and their deputies in the several states."

The articles of war provide—"That officers in the service of the United States do solemnly swear, that they will bear true allegiance to the United States of America, and serve them honestly and faithfully against all their enemies or *opposers whatsoever*; and observe and obey the orders of the president of the United States, and the orders of the officers appointed by him, according to the rules and articles for the government of the armies of the United States."

The 2nd article inflicts "The punishment of death on any officer or soldier who shall advise any other officer or soldier to desert the service of the United States."

PROVIDENCE, Dec. 4.—At the circuit court now sitting in this town, the decree of the district court, restoring the American brig Mary, laden with British goods and sailing under a British license, has been reversed, and the property condemned to the captors—she was brought in by the Paul Jones privateer of New-York.

BLOCKADE OF THE SOUND.

*By the right honorable sir* JOHN BORLASE WARREN, *bart. K. B. admiral of the blue, and commander in chief of his majesty's ships and vessels employed and to be employed on the American and West-Indian station, &c. &c. &c.*

A PROCLAMATION.—Whereas, his royal highness the prince regent hath caused his pleasure to be signified to the right honorable the lords commissioners of the admiralty, to direct, that I should institute a strict and rigorous blockade of the *Chesapeake*, the *Delaware*, and the ports and harbors of *New-York*, *Charleston*, *Port Royal*, *Savannah*, and the river *Mississippi*, in the United States of America, and to maintain, and enforce the same, according to the usages of war in similar cases, and the ministers of neutral powers have been duly notified, agreeably to the orders of his royal highness, that all the measures authorised by the law of nations, would be adopted and exercised with respect to all vessels which may attempt to violate the said blockade.

And whereas in obedience to his royal highness's commands, I did without delay, station a naval force off each of the before mentioned bays, rivers, ports and harbors, sufficient to carry his royal highness's order for the blockade thereof into strict and rigorous effect; but finding that the enemy by withdrawing his naval force from the port of New-York and establishing at the port of New-London, a naval station to cover the trade to, and from the port of New-York, thereby endeavoring to prevent, as far as in his power, the execution of his royal highness's said orders; and also finding, that the enemy has through the medium of inland carriage, established a commercial intercourse between the said blockaded ports and the rivers, harbors, creeks, bays and outlets contiguous thereto, whereby the full effect of the said blockade has been to a certain degree prevented: in order to put a stop to the same,

I do, by virtue of the power and authority to me given, and in obedience to the orders I have received from the right honorable the lords commissioners of the admiralty, declare, that not only the ports and harbors of the *Chesapeake, Delaware, New-York, Charlestown, Port Royal, Savannah,* and the *river Mississippi* herein before-mentioned, are continued in a state of strict and rigorous blockade; but that I have also ordered all that part of Long Island Sound, so called, being the sea-coast lying within Montuck Point, or the Eastern Point of Long-Island and the point of land opposite thereto, commonly called Black Point, situate on the sea-coast of the main land or continent, together with all the ports, harbors, creeks and entrances of the East and North Rivers of New-York, as well as all other ports, creeks and bays along the sea-coast of Long-Island, and the state of *New-York*, and all the ports, harbors, rivers and creeks, lying and being on the sea-coasts of the states of *East and West Jersey, Pennsylvania,* the lower countries on the *Delaware, Maryland, Virginia, North* and *South-Carolina, Georgia,* and all the entrances from the sea into the said river of *Mississippi,* to be strictly and rigorously blockaded; and I do hereby in virtue of the power and authority in me vested, declare the whole of the said harbors, bays, rivers, creeks and the sea-coasts of the said several states to be in a state of strict and rigorous blockade. And I do further declare, that I have stationed on the sea-coasts, bays, rivers and harbors of the several states, a naval force, adequate and sufficient, to enforce and maintain the blockade thereof, in the most strict and rigorous manner.

And I do hereby require the respective flag officers, captains, commanders, and commanding officers of his majesty's ships and vessels, employed and to be employed on the American and West India station, and all others whom it may concern, to pay the strictest attention to the execution of the said orders of his royal highness the prince regent and also the execution of this order. And I do caution and forbid the ships of all and every nation in peace and amity with the crown of Great Britain, from entering, or attempting to enter, or from coming out, or attempting to come out, of any of the ports, harbors, bays, creeks or rivers before mentioned, under any pretence whatsoever; and that none shall hereafter plead ignorance of the measures which his majesty has been reluctantly compelled to adopt, in order to force the enemy to put an end to a war on their part so unjustly declared his majesty, and his subjects, I have caused this proclamation to be published.

Given under my hand at Halifax the 16th day of November, 1813.

JOHN BORLASE WARREN,
*Admiral of the blue, and commander in chief, &c. &c. &c.*

To the respective flag officers, captains, commanders, and commanding officers of his majesty's ships and vessels, employed and to be employed on the American and West India station, and all whom it may concern.

By command of the Admiral,
GEO. REDMOND HULBERT, *Sec'ry.*

*H. M. ship Valiant, off New-London, December* 2, 1813.

SIR—Having received orders from sir John Borlase Warren, commander in chief of his Britannic majesty's naval forces in North America, to declare Long Island Sound in a state of rigorous blockade, and to enforce the same: I beg leave to inform you of this measure, and that after the 6th of December, no vessels whatever will be permitted to sail from any port in Long Island Sound. I beg you will be pleased to communicate this intelligence to the other neutral consuls, in your district.

I have the honor to be, sir, your most obedient servant,
ROBERT DUDLEY OLIVER,
Capt. and senior officer in Long Island Sound.

*To Don Thomas Stoughton,*
*Spanish consul at New-York.*

MILITARY.

*Third victory over the allies in the south.*—General *White*, of the Tennessee volunteers, was detached on the 12th ult. with 1200 mounted men, (including upwards of 300 *Cherokees*) to the [Creek] *Hillabee* towns. On the 17th, at one o'clock at night, being within 8 miles of the upper town, he received information from a half-breed, that his family and property would be sacrificed the next morning, if gen. W. did not relieve them; on which he pushed forward with 300 troops and a part of the Indians, and at sun-rise on the 18th completely surrounded and surprized the enemy. They fired several guns, but the bayonet, in 10 or 15 minutes, settled the business. *They held up a flag and were spared:* 65 had been killed, and 251 were taken prisoners. We had not one man even wounded. The Cherokees behaved in the best possible manner.

Of this affair, we shall have the pleasure to record the official details. The wretched and deluded *Creeks* by this time must see (*as all people* WILL see) the worse than *madness* that tempted them into alliance with the *pest of the world—blood-stained England.* But we trust the gallant spirits of the south and west will not believe their work done, until they teach fear and trembling to the base *Spaniards* who made themselves the *"go-between"* of the barbarian *British,* to place the tomahawk and scalping knife in the hands of this people, for whom, in the true spirit of justice and humanity, we had done so much. *The massacre at Fort Mims demands this.* How cruel was it in the *British* to excite this war; which they must have seen would begin in murder and end in the destruction of the Indians? If this thing be weighed in the mind, connected with the fact, that the *Creeks* had not even the semblance of a complaint to prefer against us,—we shall discover the bloody turpitude, and savage disposition of the foe, in its true colors. A disposition that would ally itself to any thing, in any way, for a temporary purpose, careless of the issue.

OUR GENERALS.—*Wilkinson* is at Madrid, N. Y. in a good way to regain his health. *Hampton* was very ill at Philadelphia. *Izard* has been confined to his room at Plattsburg.

The Plattsburg paper of the 4th inst. unequivocally states, that major Pinkney, aid to gen. *Wilkinson,* had arrived at that place for the purpose of arresting gen. *Hampton;* the general, however, had proceeded to the southward, and maj. P. went on to execute his orders.

SIX British gallies came to Cumberland Head, (lake Champlain) on the 4th inst —and burnt the large "board store on hovel," built by gen. Hampton and his then acting commissaries. It was entirely empty. The enemy returned without committing any other damage.

A British general order, dated at La Chine, Nov. 17, disbands the sedentary militia.

*Lieut Smith.*—It is with much pleasure we learn that this gallant young officer, so excellently spoken of in maj. gen. Wilkinson's despatch, for his behaviour at *Williamsburg*, was not killed, as stated by the general. He was alive nine days after the battle, dangeously wounded; but with a possibility of recovering. He was seen to fall, and supposed dead; but he had been immediately removed to a farm house, where he was taken prisoner.

The *Buffalo* paper of the 30th ult. says, an expedition has gone from Fort George against the enemy at Burlington Heights—that 3419 [late] hostile indians had tendered their services at Detroit—that a ball was given in that village to capt. *Elliott*, in honor of his behavior in the battle on *Erie*.

*Copy of a letter from brigadier-general J. P. Boyd, who commanded in the battle of Williamsburgh, to major-general James Wilkinson, commander in chief.*

Camp, near Cornwall, November 1.

SIR,—I have the honor to report to you that yesterday while the rear division of the army, consisting of detachments from the 1st, 3d and 4th brigades, and placed under my command to protect the flotilla from the enemy that hung on our rear, was under arms in order to move, agreeably to your orders, down the bank of the St. Lawrence, a report was brought to me from the rear guard, that a body of about two hundred British and indians had advanced into the woods that skirted our rear. General Swartwout with the 4th brigade was immediately ordered to dislodge them; general Covington, with the 3d brigade, being directed to be within supporting distance. General Swartwout dashed into the woods, and with the 21st infantry, (a part of his brigade) after a short skirmish, drove them back to the position of their main body. Here he was joined by general Covington. The enemy had judiciously chosen his ground among the deep ravines which every where intersected the extensive plain, and discharged a heavy and galling fire upon our advancing columns. No opposition, or obstacle, however, checked their ardor. The enemy retired more than a mile before their resolute and repeated charges. During this time the detachment of the 1st brigade, under colonel Coles, whose greater distance from the scene of action retarded its arrival, rapidly entered the field.

Being directed to attack the enemy's left flank, this movement was promptly and bravely executed amid a shower of musquetry and shrapnel shells. The fight now became more stationary, until the brigade first engaged, having expended all their ammunition, were directed to retire to a more defensible position, to wait for a re-supply. This movement so disconnected the line, as to render it expedient for the 1st brigade likewise to retire. It should be remarked, that the artillery, excepting two pieces under captain Irvine, attached to the rear division, (which, from the nature of the ground, and the circuitous route they had to take, were likewise much retarded in their arrival) did not reach the ground until the line, for the want of ammunition, had already began to fall back. When they were arranged, in doing which I was assisted by the skill of colonel Swift, of the engineers, their fire was sure and destructive. When the artillery was finally directed to retire, having to cross a deep, and, excepting in one place, (to artillery) impassable ravine, one piece was unfortunately lost. The fall of its gallant commander, lieutenant Smith, and most of his men, may account for this accident. In the death of this young man, the army has lost one of its most promising officers. The squadron of the 2d regiment of dragoons, under major Woodford, was early on the field, and much exposed to the enemy's fire; but the nature of the ground, and the disposition of his line, did not admit of those successful charges, which their discipline and ardor, under more favorable circumstances, are calculated to make. The reserve, under colonel Upham and major Malcolm, did not arrive from the boats in time to participate in but a small part of the action; but the activity and zeal they displayed while engaged, evinced the benefit that might have been derived from their earlier assistance.

The whole line was now re-formed on the borders of those woods from which the enemy had first been driven; when night coming on and the storm returning, and conceiving that the object you had in view, which was to beat back the enemy that would retard our junction with the main body below, to have been accomplished, the troops were directed to return to the ground near the flotilla; which movement was executed in good order, and without any molestation from the enemy.

I cannot close my representation of this battle, without indulging in a few remarks upon the merits of those officers, whose conduct will give a character to the conflict of this day. General Covington, whose readiness to enter the field was an earnest of his subsequent activity, received a mortal wound, while leading his men on to a successful charge. His troops, still feeling the effect of his gallant example, continued to advance long after their brave commander had fallen. His fate will perpetuate the plain which has been crimsoned by his blood. Col. Preston was severely wounded while nobly fighting at the head of his regiment. The universal sympathy which is excited by the honorable misfortune of this amiable officer, attests the high estimation which is entertained of his talents as a soldier, and his virtues as a man. Major Cummings, with whose military merits and exertions I have long been acquainted, met with a similar fate while leading to a charge, and, undiscouraged by the wound, continued to advance, until loss of blood obliged him to retire. Many platoon officers received disabling or slight wounds in the honorable discharge of their duty, a report of whose names and merits I have directed the several chiefs of brigades to make to me, in order that I may transmit it to you. It is with great satisfaction I acknowledge my warmest approbation of the gallantry and zeal which was constantly displayed throughout this eventful day, by brigadier-general Swartwout and colonel Coles, who commanded the detachment of the first brigade.

After the fall of general Covington, colonel Pierce, on whom the command of the 3d brigade devolved, conducted with his characteristic coolness and valor. In speaking of the other numerous field officers who participated in this battle, colonels Gaines and Ripley, lieutenant-colonel Aspinwall, and majors Morgan, Grafton and Gardner, their equal claim to applause forbids the invidious task of discrimination. I find a pleasure, likewise, in acknowledging the eminent service derived from the experience and activity of adjutant-general colonel Walbach; from the assistance of inspector-general colonel Johnson, and assistant adjutant-generals majors Bebee and and Chambers: the latter was wounded in the honorable discharge of his duty. In addition to these acknowledgments, a sense of justice, as well as personal friendship, induces me to express my entire approbation of the conduct of lieutenant Henry Whiting, my aid-de-camp, who was in this instance, as he has been during the whole campaign, my zealous and brave assistant; lieutenant Worth, aid-de-camp to major-general Lewis, led by a laudable ambition, left the flotilla, and volunteered his acceptable services to me on the field.

Permit me now to add, sir, that though the result of this action was not so brilliant and decisive as I could have wished, and the first stages of it seemed to promise, yet when it is recollected that the troops had been long exposed to privations and fatigues, to inclement storms from which they often could have no shelter; that the enemy were superior to us in numbers, and greatly superior to us in position, and,

supported by 7 or 8 heavy gun-boats; that the action being unexpected, was necessarily commenced without much concert; that we were, by unavoidable circumstances, long deprived of our artillery; and that the action was obstinately and warmly contested for more than three hours, during which there were but a few short cessations of musketry and cannon; when all these circumstances are recollected, perhaps this day may be thought to have added some reputation to the American arms. And if, on this occasion, you shall believe me to have done my duty and accomplished any one of your purposes, I shall be satisfied.

Allow me to adjoin my regret, which is felt in common with the army, that the severity of your indisposition deprived us of your presence on this occasion. The adjutant-general has been directed to furnish a report of the killed, wounded and casualties.

I have the honor to be, sir, with great consideration and respect, your most obedient humble servant,

(Signed) JNO. P. BOYD,
Brig. gen. commanding.

SECOND VICTORY OVER THE CREEKS.

NASHVILLE, Nov. 23—*Official papers—Communicated on Thursday last.*

Senators and Representatives of Tennessee.

I have the the honor to transmit an extract of a letter received yesterday from general Jackson now in the service of the United States, acting against the Creek Indians; containing all the details of the late engagement between the detachment from West Tennessee and the Creeks; and informing of the favorable result of that important achievement—they deserve well of their country for their gallant conduct.

(EXTRACT.)

*Camp Strother, near Ten Islands of Coosa, Nov.* 11.

SIR—I am just returned from an excursion which I took a few days ago, and hasten to acquaint you with the result.

Late on the evening of the 7th inst. a runner arrived from the friendly party in Lashley's fort, (Talledega) distant about thirty miles below us, with the information that the hostile Creeks in great force had encamped near the place, and were preparing to destroy it; and earnestly entreated that I would lose no time in affording relief. Urged by their situation as well as by a wish to meet the enemy so soon as an opportunity would offer, I determined upon commencing my march thither with all my disposable force, in the course of the night; and immediately dispatched an express to general White, advising him of my intended movement, and urging him to hasten to this encampment by a forced march, in order to protect it in my absence. I had repeatedly written to the general to form a junction with me as speedily as practicable, and a few days before had received his assurance, that on the 7th he would join me. I commenced crossing the river at the Ten Islands, leaving behind me my baggage waggons and whatever might retard my progress; and we encamped that night within six miles of the fort I had set out to relieve. At midnight I received by an Indian runner, a letter from general White, informing me that he had received my order, but that he had altered his course; and was on his march backwards to join major-general Cocke, near the mouth of Chatuga. I will not now remark upon the strangeness of this manœuvre; but it was now too late to change my plan, or make any new arrangement; and between three or four o'clock I recommenced my march to meet the enemy, who were encamped within a quarter of a mile of the fort. At sunrise we came within half a mile of them, and having formed my men, I moved on in battle order. The infantry were in three lines—the militia on the left and the volunteers on the right. The cavalry formed the extreme wings; and were ordered to advance in a *curve*, keeping their rear connected with the advance of their infantry lines, and enclose the enemy in a circle. The advanced guard whom I sent forward to bring on the engagement, met the attack of the enemy with great intrepidity; and having poured upon them four or five very gallant rounds, fell back as they had been previously ordered, to the main army. The enemy pursued, and the front line was now ordered to advance and meet him; but owing to some misunderstanding a few companies of militia, who composed a part of it, commenced a retreat. At this moment a corps of cavalry commanded by lieut. col. Dyer, which I had kept as a reserve, was ordered to dismount and fill up the vacancy occasioned by the retreat.—This order was executed with a great deal of promptitude and effect.

The militia, seeing this, speedily rallied; and the fire became general along the first line, and on that part of the wings which were contiguous. The enemy, unable to stand it, began to retreat; but were met at every turn, and pursued in every direction. The right wing chased them with a most destructive fire to the mountains, a distance of about three miles; and had I not been compelled by the *fuite pas* of the militia in the onset of the battle, to dismount my reserve, I believe not a man of them would have escaped. The victory however was very decisive—two hundred and ninety of the enemy were left dead; and there can be no doubt but many more were killed who were not found. Wherever they ran, they left behind traces of blood; and it is believed, that very few will return to their villages in as sound a condition as they left them. I was compelled to return to this place to protect the sick and wounded, and get my baggage. In the engagement we lost 15 killed and 15 wounded, two of whom have since died. All the officers acted with the utmost bravery, and so did all the privates, except that part of the militia who retreated, at the commencement of the battle; and they hastened to atone for their error. Taking the whole together, they have realized the high expectations I had formed of them, and have fairly entitled themselves to the gratitude of their country.

In haste, I have the honor to be,

(Signed,) ANDREW JACKSON.

His excellency, William Blount, Nashville.

The foregoing is an extract from the general's letter to me—other parts of it give no other details of the engagement, or the order of battle—the general had not received information that the president had accepted into the public service the 3,500 men, authorised by the act of the 27th September, to be raised; or the foregoing would no doubt have been addressed to the secretary of war; a copy of his letter will be transmitsed to that department; and the foregoing is transmitted to the general assembly for their information of the good conduct of the troops; their act in part authorized the raising of the ssid troops; and from a desire that the citizens of Tennessee may know it. As the Tennessee, Georgia and regular troops ordered on the campaign against the Creeks, are by the government, expected to act in concert, it is not improbable that general Cocke has thought it advisable, from the information he may have received from the regular or Georgia detachments, respecting possibly their exposed situation, to go on to them, and after uniting with them, to join general Jackson; this may account for general White's not proceeding to the Ten Islands—he never will do an act to injure the service; neither

will general Jackson or Cocke injure it by any act of theirs; they are all acting in support of one cause, and no doubt they will do their duty well, as will the detachments generally upon any and every proper occasion. WILLIE BLOUNT.

## NAVAL.

The President frigate went to sea on Sunday evening, the 4th inst. from Newport; where an embargo had been laid three days previous to her sailing. She has been met with at sea, by a vessel that has arrived at New-York. If it should so happen that *Rodgers* were to make a dash along the coast of North and South Carolina and Georgia, he might pick up several *English* vessels that would be very useful for its future defence.

There is good reason to believe that some villain, immediately after the departure of commodore *Rodgers*, went from *Newport* off to the *British*, to give them the information. Captain *Perry* has instituted an enquiry into the matter; and we hope he may catch the fellow.

We have letters from captain *Porter* below. There is cause to believe that he knew of the sailing of the frigate and two sloops of war from Rio Janeiro in search of him. To which he appears to allude, where the cypher is used.

A coaster that was captured by the enemy off *New-London*, states that an admiral and two fire ships were daily expected.

The British papers complain greviously of the operations of an American schooner privateer, off the coast of *Portugal*.

The famous privateer Decatur, with 18 guns and 130 men, has sailed from Charleston. She had positive orders to engage either of the British brigs off that port, if she fell in with them singly.

The water chief *Cockburn* was at Bermuda, November 18, with 10 vessels of war, about to sail on an expedition.

Admiral *Warren* has sailed from Halifax in the St. Domingo, 74—some other vessels in company, supposed first for *Bermuda*,

*Copies of letters from captain David Porter, commanding the United States frigate Essex, to the secretary of the navy, dated*

U. S. frigate Essex, Pacific ocean, July 2, 1813.

SIR—I have the honor to inform you that on the 29th of April, in the latitude of 40, N. long. 91, 15 W. about 20 miles to the northward of the island of Albemarle, one of the Galapagos on the Pacific ocean, I captured the British ship Montezuma; two others being in sight, close together, distant from us about 7 miles, which we were informed were the British letters of marque ships Policy and Georgiana; the first mounting 10 guns, 6 and 9 pounders; the other six 18 pounders, four swivels, and six long blunderbusses, mounted on swivels. The wind being light and variable, and confiding greatly in the bravery and enterprize of my officers and men, and apprehensive of their escape, from the prevalence of fogs in that climate, I directed the boats of this ship to be armed and manned, and divided into two divisions, placing the first under the command of lieut. Downes, first lieut. in a whale boat, accompanied by midshipman Farragutt. The officers in command of the boats under lieut. Downes, were, lieut. S. D. M'Knight, in the 3d cutter, accompanied by midshipman W. H. Odenheimer, sailing-master John P. Cowell, in the jolly boat, accompanied by midshipman H. W. Ogden, and midshipman George Isaacs, in the 2nd cutter. The 2nd division under the command of lieut. Wilmer, 2d lieutenant, in the pinnace, accompanied by midshipman Henry Grey, and master's mate James Terry; lieut. Wilson and Mr. Shaw, purser, in the first cutter; and lieut. Gamble, of the marines, in the gig. Suitable signals were established, and each boat had her particular station pointed out for the attack, and every other previous arrangement was made to prevent confusion. The boats, 7 in number, rowed off in admirable order. Guns were fired from the enemy to terrify them: they rowed up under the muzzles of the guns and took their stations for attacking the first ship, and no sooner was the American flag displayed, by lieut. Downes, as the signal for boarding, and the intention was discovered by the enemy, than the colors were struck, without a shot being fired; so much were they daunted by the intrepidity of our brave officers and men. They then left a crew on board the prize and took their stations for attacking the other vessel, when her flag was also struck, on the first call to surrender. Thus were two fine British ships, each pierced for twenty guns, worth near half a million of dollars, mounting between them 16 guns, and manned with 55 men, well supplied with small arms, surrendered, without the slightest resistance, to seven small open boats, with fifty men, armed only with muskets, pistols, boarding axes and cutlasses! Be assured, sir, that Britons have either learned to respect the courage of Americans, or they are not so courageous themselves as they would wish us to believe.

I have the honor to be, with great respect, your obedient servant, D. PORTER.

*The secretary of the navy, Washington.*

United States' Frigate Essex, at Sea, Pacific Ocean, July 2nd, 1813.

SIR—On the 23d March last, I sailed from shaping my course to the northward, and on the 26th of the same month, fell in with the Peruvian corsair ship Nereyda, mounting 15 guns: she had a few days before, captured two American whale ships, the crews of which (amounting in number to 24 men) were then detained prisoners on board her; and they assign no other motive for the capture, than that they were the allies of Great Britain, and as such, should capture all American vessels they could fall in with; therefore, to prevent in future such vexatious proceedings, I threw all her armament into the sea, liberated the Americans, and dismissed the Nereyda.

I then proceeded with all possible dispatch for Lima, to intercept one of the detained vessels, which had parted with the Nereyda only three days before, and I was so fortunate as to arrive there and recapture her on the 5th April, at the moment she was entering the port. This vessel (the ship Barclay, captain Gideon Randall, of New Bedford,) I took under my protection, and have had her with me ever since.

From Lima I proceeded for the Galapagos Island, where I captured the following British ships, viz:

| | | | |
|---|---|---|---|
| | *Letters of marque.* | | |
| Montezuma | 270 tons | 21 men | 2 guns. |
| Policy | 275 | 26 | 10 |
| Georgiana | 280 | 25 | 6 |
| Atlantic | 351 | 24 | 8 |
| Greenwich | 338 | 25 | 10 |

The Georgiana being reputed a very fast sailer, and apparently well calculated for a cruiser, I mounted 16 guns on her, and gave the command of her to that excellent officer, lieutenant John Downes, with a complement of 42 men; appointing midshipman W. H. Haddaway acting lieutenant on board her, and sent her on a cruise.

Lieutenant Downes joined me at Tumbez, near Guiaquil, on the coast of Peru, on the 24th June, after capturing three prizes, to wit:

*Letters of marque ships.*

| | | | |
|---|---|---|---|
| Hector | 270 tons | 25 men | 11 guns. |
| Catharine | 270 | 29 | 8 |
| Rose | 220 | 21 | 8 |

The first had two men killed and six badly wounded in her rencontre with the Georgiana—and the Rose was discharged (after being deprived of her armament) with all the prisoners captured by the Georgiana, as they amounted to nearly double her crew; she was furnished with a passport to proceed to St. Helena.

My own prisoners I liberated on parole at Tumbez. I found by experience that the Georgiana did not deserve the character given of her for sailing. I therefore shipped her officers and crew to the Atlantic, and mounted on her 20 guns, with a complement of 60 men, and appointed midshipman Rich. Dashiell, acting sailing master, on board her; to this vessel I gave the name of the Essex Junior, I also fitted up the ship Greenwich as a store ship, and mounted on her 20 guns, placing her under the command of lieutenant Gamble, of the marines. On board her I have put all the provisions and stores of my other prizes, except a supply of three and a half months for each, and have by this means secured myself a full supply of every necessary article for seven months. I had hoped to dispose of my other prizes at Guiaquil: the governors in Peru, however, are excessively alarmed at my appearance on the coast, as my fleet amounts now to nine sail of vessels, all formidable in their appearance, and they would if they dare, treat us with a hostility little short of declared enemies.

I have given to Mr. John G. Cowell, sailing master, an appointment to act 3d lieutenant; midshipman John S. Cowan, to act 4th lieutenant; and midshipman Odenheimer as sailing master. I beg, sir, that the appointment of those officers, as well as of lieutenant S. D. M'Knight, who is acting second lieutenant, and those serving on board the Essex Junior, may be confirmed by the department. I have given to Mr. M. W. Bostwick, my clerk, the appointment of acting midshipman; not that he is desirous of coming forward in the navy in that line, but I hoped by this means to introduce him to the department; and I shall take the liberty to recommend him strongly as a suitable person to hold the appointment of purser. Drs. Richard R. Hoffman and Alexander M. Montgomery, who voluntered their services with me at the commencement of hostilities, have received acting appointments from me, the first as surgeon, to fill the vacancy occasioned by the death of Dr. Miller; the other as surgeon's mate. To the great care and attention of those gentlemen, may, in a considerable degree, be attributed the extraordinary health of the crew; and as they are both desirous of joining the navy, I hope their appointments may be confirmed.

I have also appointed my marine officer and chaplain to the command of prizes; they all enter with much cheerfulness, into their new duties; and if the expedition should prove unsuccessful, it will not be, I am persuaded, owing to our want of activity or vigilance; and of this you must be satisfied, as for the last eight months we have been constantly at sea, with the exception of twenty-three days, and yet, sir, we have enjoyed extraordinary health and spirits; no symptom of the scurvy having yet appeared in the ship, nor have we, at this moment, more than two on the sick list; and their diseases are more owing to the infirmities of age than any other cause. Indeed, sir, when I compare my present situation with what it was when I doubled Cape Horn, I cannot but esteem myself fortunate in an extraordinary degree. There my ship was shattered by tempestuous weather, and destitute of every thing; my officers and crew half starved, naked, and worn out with fatigue. Now, sir, my ship is in prime order, abundantly supplied with every thing necessary for her. I have a noble ship for a consort of 20 guns and well manned, a store ship of 20 guns and well supplied with the best of every thing that we may want, and prizes which would be worth in England two millions of dollars; and what renders the comparison more pleasing, the enemy has furnished all. Excuse me, sir, for not making known my present intentions, as this letter may not reach you. It, however, may be satisfactory to you to know how I intend to dispose of my prizes: Let it suffice to say that I shall endeavor to [cypher.]

British letters of marque are numerous in these seas, and, were it not for my arrival, our whale fishers would have been much harrassed; but they now find it necessary to keep together for mutual protection. I expect to [cypher], but shall be [cypher].

Subjoined is a list of deaths since I left the U. S. and I beg you will relieve the anxiety of my family and all our friends, by communicating as much of this letter as you may think proper.

The times of my best men have expired; but their attachment to the ship and their zeal for the service we are engaged on, prevent all complaints on that account. It is not probable that you will hear of me for several months to come, unless some disaster happens; but I beg leave to assure you, sir, that I shall not be idle; and I hope before my return to make the services of the Essex as important as those of any other single ship. We may not be individually benefitted, but we shall do the enemy much injury, which will be a sufficient compensation to us for all the hardships and privations we must naturally experience, while cut off from all communication with the rest of the world, and are dependent on the precarious supplies the enemy may afford.

I have the honor to be, with great respect, your obediant servant, D. PORTER.

*Honorable William Jones,*
*Secretary of the navy, Washington.*

*List of deaths since my departure from the United States.*

1812. December 3. Levi Holmes, seaman, palsy.
1813. January 24. Edward Sweeny, o. s. old age.
1813. January 24. Samual Groce, seamen, contusion of the brain by a fall from the main yard.
1813. March 1. Lewis Price, marine, consumption.
1813. April 4. James Shafford, gunner's mate, accidental gun-shot wound of the lungs.
1813. May 25. Doctor Robert Miller, surgeon, disease of the liver.
1813. May 26. Benjamin Geers, qr. gr. inflammation of the stomach.
1813. June 29. John Rodgers, qr. gr. fall from the main yard.

## American Prizes.

WEEKLY LIST—CONTINUED FROM PAGE 256.

"The winds and seas are Britain's wide domain,
"And not a sail, but by *permission* spreads."
*British Naval Register.*

The brig, (no. 718) prize to the Saucy Jack, is the Sir. John Sherbroke, of 10 guns and 40 men, taken after a fight of 20 minutes, in which she had 2 men killed and 5 wounded. The Saucy Jack sustained but little injury, and had three men slightly wounded.

719. The valuable ship Manly, 4 guns laden with wine, oil, &c. from Halifax for the West Indies, sent

into Charleston, S. C. by the Revenge, of Baltimore.

720. A brig laden with sugar and molasses, captured by the Caroline of Baltimore, re-captured by the British off Charleston and burnt.

☞We have had the pleasure to notice the exploits of the Lion privateer (of *Baltimore*) off the coasts of Spain and Portugal. She has safely arrived at L'Orient, in France, with about $400,000 on board, after having destroyed 15 or 20 English vessels.—— Particulars shall be noticed when received.

721. Schr. Messenger, from the West-Indies, laden with rum and molasses, sent into Wilmington, N. C. by the Comet, of Baltimore.

722. Ship Montezuma, 270 tons, 2 guns, 21 men, captured by the Essex frigate, in the south sea.

723. Ship Policy, 275 tons, 10 guns, 26 men, captured by ditto in ditto.

724. Ship Georgiana, 280 tons, 6 guns, 28 men, captured by ditto in ditto.

725. Ship Atlantic, 337 tons, 8 guns, 24 men, captured by ditto in ditto.

726. Ship Greenwich, 338 tons, 10 guns, 25 men, captured by ditto in ditto.

727. Ship Hector, 270 tons, 11 guns, 25 men, captured by the *Essex junior*, in the south sea.

728. Ship Catharine, 270 ton, 8 guns, 29 men, captured by ditto in ditto.

729. Ship Rose, 220 tons, 8 guns, 21 men, captured by ditto in ditto.

☞These vessels are estimated, as worth to the enemy, two millions of dollars. See *commodore Porter's* official letters, page 268. We have reason to believe that they are not *all* the vessels that *Porter* has captured.

## The destiny of the Creeks.

The unwarrantable attack upon fort *Mims*, and subsequent slaughter of the garrison, with all the women and children, in the whole about 300 persons, only *seventeen* of whom made their escape, has already been *registered*. A letter to the editor, dated at *Tombigbe*, contains many particulars of that horrible massacre by the *Creeks*, as well as some pointed remarks on the character of the savages—both which, as they belong to the enquiry, shall be noticed.

The letter says—the fort was attacked by 725 Indians, with great fury, at 12 o'clock in the day; they were entirely *naked*, except a flap; they rushed up to the *port holes*, and disputed the possession with those within, and finally prevailed; the women were butchered, then stripped and subjected to every brutal indignity that the savages could think of. Indeed there was a refinement of horror that ought to be mentioned; *pregnant women were cut open; and the unborn infant taken out of them and tomahawked!*— Many of the women had *two* scalps taken from them; and numerous instances were afforded that *several* savages had assisted in the murder of an individual. The report of the party that returned from burying the dead, rivals any that the history of the Indian affords; but *delicacy* forbids a full statement of what they beheld. It is a tale of terror.

The writer then goes on to describe the ravages of the *Creeks*, through a great extent of country, lately flourishing and happy, and filling with an industrious population. "*To those who never beheld people flying from the savages, it would be useless to attempt to convey the picture.*" A solitary farm house did not remain in the possession of the owner; every thing was abandoned; and the few persons that remained were cooped up in two small forts, surrounded by the blood-thirsty allies of the "*defender of the faith!*" The *tomahawk* of the *savage* and *torch* of *Cockburn*, in "HOLY LEAGUE," finished the work of death and desolation. All the settlements are laid waste. *The savages received their ammunition from the governor of* PENSACOLA, *in consequence of an order from the* BRITISH *in Canada*.

These facts are notorious and indisputable—*Such were the doings of the Creeks, and such the agency of the British government in their murders.*

Our indignant correspondent adds——

"This account will be read as the many we have received from the *west*, and the sensation on the mass of men produced by the recital will be only the same—but a *most important*—an awfully important question or two flashes on the mind of *every reflecting man.* IS THIS THE NATION OF INDIANS WITH WHOM THE GOVERNMENT HAS BEEN, THROUGH COLONEL BENJAMIN HAWKINS, NOW ABOUT SIXTEEN YEARS ENGAGED IN THE WORK OF CIVILIZATION? Is this the nation of whom the colonel has made *so many reports* of their high state of civilization? Is this the nation of savages on whom thousands have been expended, produced by the labor and sweat of our citizens? And, good God! is this the point at which they have arrived? Even *gratitude* to a benefactor has not yet been infused into their breasts? Even *regard for the female character* is unknown amongst them. Without a single provocation, in the moment while they are receiving the benevolence of our government, they fly to the assistance of our enemies. They take advantage of the moment of our distress to plunder, murder, burn and destroy, our country. Since the commencement of our government to the present day, there has always been a number of persons, well and *practically* acquainted with the savage character, who have smiled at the benevolent but weak attempt of our system for the civilization of savages. They viewed it as the production of the closet, generated with brains of speculative theorists. *If the subject is not now at rest it never can be decided.* If after *sixteen* years we cannot secure even the *friendship* of a nation of savages, if we cannot give existence to the most *common effects of the slightest degree of civilization*, when are we to expect to make any impression on them? Or is the whole attempt a farce?

"Among the party who committed the beforementioned massacre, were a number of Indians, *nay, hundreds*, who spoke the English language, had a constant intercourse with the whites, and many of them were raised among the white people.

"At this moment a medal chief of the *Choctaw* nation is soliciting to be employed with his nation by the white people; for he says his warriors cannot be restrained; and if we do not employ them they must fight for somebody. This is another nation we are engaged in civilizing!"

We sincerely lament that these remarks appear too strongly buttressed by truth, in the facts that have happened, to have their force weakened by philanthropy; but we cannot regret that the attempt was made to render this people happy. The scheme of humanity, that began with *Washington*, that was patronized by *Adams*, and zealously extended and encouraged by *Jefferson* and *Madison*, HAS COMPLETELY FAILED, through the native propensity of the *Indians* to rapine, and the universal disposition of BRITAIN to encourage it. Colonel *Hawkins* had persuaded himself; (and I apprehend sincerely believed) that the *Creeks* had made great progress in civilization, as well in their *sentiments* as in their manner of life. Many of them were regular *farmers*; the men labored in the field, the women plied the wheel and the shuttle at home. Schools, apparently well attended, had been established; one half of the various tribes known by the general name of *Creeks*, spoke the *English* language; and very few of them

had altogether refused to adopt the habits of civilized man. Much time, labor and money had been spent upon them—their lands and rights had been carefully guarded—they are without excuse, for they had nothing to complain of. *They listened to the serpent,* and became the murderers of their *benefactors*—the horrible assassins of *women* and *children*. The vile nation that contrived the partition of *France*, and that inveigled or bullied *Holland, Switzerland, Sardina, Tuscany*, the POPE, *Naples*, many states of *Germany*; and, indeed, that has been in *alliance* and at *war* with every nation of *Europe, protestant, Catholic* or *Mahometan*, no matter what, within a few years, *France* only excepted—that has brought about the utter extinction of many, and deluged the whole with rivers of blood; *for her commerce*——has also machinated the destruction of the *Creeks*; and with it annihilated the hope of humanity, that, through justice and benevolence, they might be civilized.—Let the *British "bible societies,"* the *"societies for propagating the gospel among the heathens,"* and other like institutions, examine this matter!

If the United States have not "commanded success" in their persevering attempts to ameliorate the condition of the Indian, they have, at least, "deserved" it;—but, having failed, self-preservation requires, and justice sanctions, the adoption of a new course.

From the three victories obtained over the *Creeks*, (where THE UNRESISTING WERE SPARED) and the powerful body of troops that are in their country, we consider the war as finished; for the wretches have no back country to fly to, to escape the vengeance due them. If they are received by the *Spaniards* in *Florida*, they will be pursued; if they are protected, a common cause will be made against both—for it is impossible that the *Spaniards* can be permitted to proceed in the diabolical course *Great Britain* has directed. What shall be done with them? We cannnot reconcile ourselves to the extermination of them, however just the *retaliation* might be; nor should we banish them from the land of their ancestors to the wilds of the *Mississippi*, where they might hereafter perplex us—or become extinct through their wars with the tribes in possession, for the right of soil. We should be "angry with them but sin not;" and carry our resentment no further than our safety requires.

Their country is ours by every principle of the natural or civil law, and we have a right to prescribe the terms on which they shall reside in it.—Let these be as lenient as possible, so that *power* shall finally destroy the savage spirit that *humanity* vainly strove to subdue. Their *whole* population, before the war, did not, perhaps, exceed 25,000 souls—but their territory, among which is large tracts of the finest land in the world, would support *millions* of civilized men. Suppose small tracts, slips of land, not more than 10 or 15 miles wide, were reserved for them, with intervals 20 or 30 miles wide, to be settled by the whites? The spaces allotted would be more than an hundred times sufficient for them as *agriculturalists*, but not enough as *hunters*; and they would be *compelled*, more or less, to attend to husbandry. This, in time, would ameliorate their manners; and though they might commit some petty depredations on their neighbors, they never could do extensive mischief; and they might, generally, govern themselves by their own laws with a few simple regulations to secure good order between them and the people of their vicinity. Some provision should be made for the ultimate right of the reserved land, by prescribing on what conditions the Indian title may become extinct; but forbidding that they themselves should dispose of it, without the consent of the United States. The hourly intercourse they would have with the white people, and their detached situation, might, in a few years, totally eradicate their savage propensities, and finally incorporate them with the body of the people. As *indians*, they would decrease; and, if scattered in society, could have no effect upon it.

This project I think reasonable and rightful—and may, at least, afford some idea to the many persons enquiring, *"what shall be done with the Creeks."*

## Proceedings of Congress.

IN SENATE.

*Thursday, Dec.* 9.—So much of the president's message as respects our foreign relations, was referred to Messrs. Bibb, of Georgia, Taylor, Chace, Bledsoe, Brent, Anderson and Brown.

So much of the message as relates to military affairs, was referred to Messrs. Worthington, Turner, Lacock, Campbell and Robinson.

So much of the message as relates to the naval establishment, was referred to Messrs. Gaillard, Tait, Fromentin, Morrow and Howell.

A confidential message was received from the president, and the doors closed for a short time thereon.

*Monday, Dec.* 13.—The senate sat with closed doors—supposed on the same business that had occupied the house of representatives.

*Tuesday, Dec.* 14.—Closed doors.

*Wednesday, Dec.* 15.—The same.

*Thursday, Dec.* 16.—The same.

HOUSE OF REPRESENTATIVES.

*Thursday, Dec.* 9.—The following gentlemen were appointed by the speaker to be committees, pursuant to the order of yesterday, viz.

*On foreign relations*—Messrs. Calhoun, Grundy, Fitch of N. York, Ingersoll, Gholson, Miller and M'Clean.

*On military affairs*—Messrs. Troup, Dawson, Desha, Sevier, Stewart, Tannehill and Clopton.

*On naval affairs*—Messrs. Lowndes, Burwell, Seybert, King of Mass. Ormsby, Post and Kennedy.

*On the Militia laws*—Messrs. Taylor, Parker, Strong, Piper, Fornoy, Champion, Smith of Va.

*On retaliation*—Messrs. Macon, Robertson, Calhoun, Nelson, Fisk of Vt. Stockton and Lovett.

*On the reciprocating the admission of certain foreign cruizers in our ports*—Messrs. Grundy, Duvall, Davis, Moore, Ely, Leffert and Pitkin.

Many private petitions were presented and referred.

A message in writing was received from the president of the United States, which the speaker declared to be of a confidential nature. The galleries were accordingly cleared, and the doors closed; but were again opened in a few minutes. And the house adjourned.

*Friday, Dec.* 10.—After many private petitions and some local affairs had been presented to the house, the galleries were cleared and so remained till five o'clock, when the house adjourned.

*Saturday, Dec.* 11.—The house sat with closed doors from eleven o'clock in the morning until nine at night.

*Monday, Dec.* 13.—The house adjourned a little after twelve o'clock after receiving some private petitions, &c.

*Tuesday, Dec.* 14.—Some private petitions were presented and referred.

Mr. Desha submitted the following resolutions; which passed—

*Resolved*, That the committee of claims be instructed to enquire into the expediency of paying for the waggons and horses, that have been lost in the public service.

*Resolved*, That the committee on military affairs be instructed to enquire into the expediency of paying for the horses lost by the volunteers who turned out under his excellency Isaac Shelby, governor of the commonwealth of Kentucky, on the Canada expedition last fall; and that they report by bill or otherwise.

*Resolved*, That the committee on military affairs be instructed to enquire into the expediency of paying the mounted volunteers who turned out under his excellency, Isaac Shelby, governor of the commonwealth of Kentucky, on the Canada expedition last fall, additional pay for their horses furnished; and that they report by bill or otherwise.

Mr. Wright moved the following resolution.

*Resolved*, That a committee be appointed to enquire into the expediency of providing by an act of congress an uniform mode of electing senators, representatives to congress, and electors of president and vice-president.

The resolution was adopted, and referred to a committee of seven members.

*Thursday, Dec.* 16.—No business of importance transacted.

## THE CHRONICLE.

The legislature of Pennsylvania met at *Harrisburg* on the 7th instant. *P. C. Lane* was elected speaker of the senate, and *Robert Smith* speaker of the house of representatives.

The war between the whigs and tories of *Chili* yet prevails. The former, in general, possess the coasts, but the royal troops are pretty numerous in the interior. They have, however, been much reduced by several late battles with the patriots, who have severely beaten them.

The *Boston Patriot* of the 8th instant says, "it is so warm and pleasant that *many thousand sheep*, merinos, mixed and common, are browsing all round Boston."

The steam-boat Vesuvius, 140 feet keel, 400 tons burthen, has been launched at Pittsburg, designed as a *regular trader between the falls of Ohio* and *New-Orleans!* Another of the like dimensions will soon be off the stooks!

*James Barbour*, esq. has been re-elected governor of Virginia. For Mr. Barbour 133. For Mr. James Pleasants 53. The latter was not a candidate.

MARYLAND ELECTION.—On Monday last, *Levin Winder*, esq. (fed.) was re-elected governor of *Maryland*, for the ensuing year.

As we some time ago stated that the executive of *Maryland* would be changed, it becomes us to show how the result is different. When the temper of the people is a little moderated by time, and we are less pressed for room than at present, the facts and papers that belong to this interesting procedure shall be recorded. The following may suffice for the moment:

In *Allegany* county three republicans and one federalist *were chosen by the people*. The governor is elected by joint ballot of both houses; and, as the senate is wholly republican, a governor of that political character would have had a majority of *three* votes. But the people of *one* district of Allegany were deprived of their suffrages, and the *four* federal candidates declared elected. This exactly reversed the weight of parties, and would have given to the federal candidate for governor a majority of *three*, had *all* the members voted. *But seventeen of them refused to vote.*

Among other provisions in the election laws of *Maryland*, it is enacted, that the judges of the election, and their clerks, shall be qualified by an oath administered by a justice of the peace; or, the presiding judge, so qualified, may qualify his brother judges, and the clerks—or a *clerk so* qualified, may qualify the presiding judge, &c. The presiding judge of district no. 4, was a justice of the peace; he qualified the two other judges and the clerks, and was then himself qualified by a *judge* instead of a *clerk*. When one of the judges from each of the six districts of the county assembled to make a return, it was contended that the election in district no. 4, was illegal, for the cause of the qualification as above stated; and *four* of the assembled judges made out a return, that rejected all the votes thereat given, and so placed the *four* federal candidates highest on the list——the other *two* judges also made a return, giving credit to the whole number of votes received in the county, shewing that three of the republican and one of the federal candidates were elected The matter thus came before the house of delegates, a majority of which is federal. The committee of elections made a report in favor of those that had the *minority* of votes, and the house adopted it, on Saturday evening last. The Monday following was the constitutional day for electing the governor. It was thought the senate would not meet the house for the ballot—but, at a late hour, the principle that each house ought to be the judge of its own elections, prevailed over what the senate unanimously believed a sacrifice of the rights of the people to a form, and gov. W. was re-elected as aforesaid.

The state of *Maryland* has a republican majority of votes greater than the federal majorities in *New Hampshire*, *Rhode Island*, and *Delaware* united, and *twice told*: Yet, by the representation of the *counties* instead of the *people*, and by a *mistake* in addition thereto, the *minority* rules. See the table, page 111.

But *Maryland* is not alone. *Vermont* has also a governor chosen by a *minority* of the people.

## Military Scrap.

A "CHOICE SPIRIT." A scouting party was sent out last June from *Fort George*, in search of a *famous* British captain *Ball*, an active and cruel commander of Indians. When they arrived at Six Mile Creek, serjeant *James Rouse*, volunteered with two dragoons, and proceeding with his small party to the *Short Hills*, discovered the house where this *Ball* was supposed to be at about 9 o'clock in the evening. In order to reach this place, they were compelled to pass within half a mile of a British picket guard. Serjeant *Rouse*, having entered the house, was told that *Ball* was not there. He, however, fired a pistol through a door he could not break open, when *Ball* opened it, and surrendered himself with his guard, 5 in number, prisoners. They were all placed on horses and carried 18 miles through the enemy's country, to Fort George. Since this handsome partizan affair, serjeant *Rouse* was taken prisoner (with col. Boerstler's detachment,) and complaining to general Vincent of the ill treatment he met with from the Indians, was by him threatened to be sent to Quebec and hanged. Being out in prison with many others, he escaped with two of them, through a shower of balls, and plunged into the wilderness without arms or food. On the shores of lake Erie, they took a British centinel by surprise and made him row them across to Black Rock in a canoe; but serjeant *Rouse* was so exhausted with hardship and fatigue as to be unfit for duty for a long time after. It is hoped that this gallant non-commissioned officer will be promoted as a reward for his enterpize and spirit.

*Nat. Adv.*

# THE WEEKLY REGISTER.

No. 17 of vol. V.] BALTIMORE, SATURDAY, December 25, 1813. [whole no. 121.

*Hæc olim meminisse juvabit.*—Virgil.

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## The Embargo Law.

On Monday last, at about 2 o'clock, the injunction of secrecy was removed from the late confidential proceedings of the two houses of congress, and the following act made public.

An act laying an embargo on all ships and vessels in the ports and harbors of the United States.

*Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That an embargo be, and hereby is laid on all ships and vessels in the ports and places within the limits or jurisdiction of the United States and the territories thereof cleared or not cleared; and that no clearance be furnished to any ship or vessel, except vessels in ballast, with their necessary sea-stores, under the immediate direction of the president of the United States; and that the president be authorised to give such instructions to the officers of the revenue, and of the navy, and of the private armed vessels and revenue cutters of the United States, as shall appear best adapted for carrying the same into full effect: *Provided,* That nothing herein contained shall be construed to prevent the departure of any foreign ship or vessel, in ballast, with her necessary sea-stores, and with the goods, wares and merchandize, other than provisions, military and naval stores on board of such foreign ship or vessel when notified of this act, whose officers and crews shall consist wholly of such foreigners as did belong to nations in amity with the United States at the time of the arrival of said ship or vessel in the U. States, and which shall not have nor take on board for the voyage any citizen of the United States, except such as may produce a passport therefor, to be furnished under the authority and direction of the president of the United States. And all public armed vessels possessing public commissions from any foreign power, are not to be considered as liable to the embargo laid by this act.

Sec. 2. *And be it further enacted,* That if any person or persons shall put, place or load on board any ship, vessel, boat or water-craft, or into any cart, waggon, sled, or other carriage or vehicle, or in any other manner attempt to convey any specie, goods, wares, merchandize, produce, provisions, naval or military stores, or any kind of live stock, with intent to export, transport or convey the same without the United States or the territories thereof, to any foreign place, kingdom or country, or with intent to convey the same on board any foreign ship or vessel within or without the limits of the United States, or with the intent in any other manner to evade the provisions of this act, all such specie, goods, wares, merchandize, produce, provisions, naval or military stores, live stock, and also the ship, vessel, boat, water-craft, cart, waggon, sled, or other carriage or vehicle, on board, or on or in which the same may be so put, placed or loaded as aforesaid, and also all horses, mules and oxen, used or employed in conveying the same, shall be forfeited, and the person or persons so putting, placing or loading the same as aforesaid, and also the aiders and abettors therein, shall, upon conviction, be adjudged guilty of a high misdemeanor, and fined a sum, by the court before which the conviction is had, equal to four times the value of such specie, goods, wares, merchandize, produce, provisions, naval or military stores, or live stock: *Provided however,* That this section shall not be construed to extend to any person or persons not being the owner or owners of such specie, goods, wares, merchandize, produce, or provisions, naval or military stores, who shall first inform and make complaint to the collector of the district of any such offence committed within the same district; and any informer or informers, not being the owner or owners as aforesaid, upon conviction of the offenders, shall be entitled to one half of the fine aforesaid, when the same shall be received by the United States, and shall be entitled to a certificate for that purpose from the court before whom the conviction shall be had.

Sec. 3. *And be it further enacted,* That the owner or owners, consignee or factor of any ship, vessel or boat, which may, at the time when notice of this act shall be received at the several custom houses respectively, be laden in whole or in part, shall, on notice given by the collector, either discharge such cargo or give bond with two or more sufficient sureties, in double the value of such vessel and cargo, not to proceed on the intended voyage or trip, until permitted to do so, agreeably to the provisions of this act; and if the cargo shall not be discharged within ten days, or the bond given as aforesaid, the ship, vessel, or boat and cargo shall be wholly forfeited. And the several collectors are authorised in the mean while, and until the cargoes shall have been discharged, or the bond given as aforesaid, to take possession of such vessels, and to take such other measures as may be necessary to prevent their departure.

Sec. 4 *And be it further enacted,* That the president of the United States may authorise the collectors of the customs (when in his opinion it can be done without danger of the embargo being violated, and under such limitations as he may deem expedient) to grant permission to vessels or boats whose employment has uniformly been confined to the navigation of bays, sounds, rivers or lakes within the jurisdiction of the United States, or the territories thereof, to take on board at any time such articles of domestic or foreign growth as may be designated in such permission, bond with one or more sufficient sureties being previously given to the United States by the owner, owners, consignees, or factors of such vessel or boat, and by the master thereof, in an amount equal to three hundred dollars for each ton of the said vessel or boat, that such vessel or boat shall not during the time limited in the condition of the bond, depart from any district of the United States without having previously obtained a clearance, nor until the master or commander shall have delivered to the collector or surveyor of the port of departure, a manifest of the whole cargo on board; that the said vessel or boat shall not during the time above mentioned proceed to any other port or place, than that mentioned in her clearance, nor put any article on board of any other vessel or boat or be

employed in any foreign trade; and that on every voyage or trip, the whole of the cargo shall be landed in a port or place of the United States, or the territories thereof within the bay, sound, rivers or lakes to which the navigation of such vessel or boat is confined, or in the port or place mentioned in her clearance, shall in case of any suit or prosecution instituted on such bond for a breach of the conditions thereof, lie upon the owner or owners, consignee, or factors of such vessel or boat, or the master thereof, as the case may be, *Provided*, such prosecution or suit be instituted within two years after such breach shall have been committed.

Sect. 5. *And be it further enacted*, That if any vessel or boat, not having received a permission, and a bond not having been first given in the manner provided for in the next preceding section, shall take on board any article or articles prohibited by this act, such vessel or boat, together with her cargo, shall be wholly forfeited, and the owner or owners, agent, freighter, or factors, master or commander of such vessel or boat, shall moreover severally forfeit and pay a sum equal to the value of the vessel or boat, and of the cargo put on board the same.

Sec. 6. *And be it further enacted*, That the person or persons, whose names do or may appear as owner or owners of any ship or vessel either on the certificate of registry, enrolment, or license of any such ship or vessel, or if neither registered or licensed, on the last clearance or custom-house documents issued before the passing of this act for such ship or vessel, shall be reputed as the true owner or owners of such ship or vessel, and be liable to the payment of all penalties which may be incurred by the owners of such ship or vessel, by reason of any violation of any of the provisions of this act: *Provided always*, that nothing in this section contained shall be construed to release any person or persons from the payment of any penalty incurred by virtue of this act, and in case of any new register or license being granted during the continuance of this act, or in case of the sale of any ship or vessel neither registered or licensed, a bond with one or more sureties to the United States shall, previous to the granting any such new register or license, or to recognizing the sale of such vessel not registered or licensed, be required by the collector, in an amount equal to three hundred dollars of each ton of such ship or vessel, that such ship or vessel shall not, during the continuance of this act, contravene or infringe any of the provisions thereof: *Provided*, that nothing herein contained, shall be construed to extend to the owner or owners of any ship or vessel who shall have a bona-fide sale of such ship or vessel, in any port or harbor of the United States, before notice of this act at such port or harbor respectively, nor to the owner or owners of any ship or vessel, in any foreign port or place, who shall have made a bona-fide sale thereof before notice of this act: *And provided also*, that such bond shall not release the owners and master of such ship or vessel, or any other person from the obligation of giving every other bond required by this act.

Sec. 7. *And be it further enacted*, That the owner or owners of all vessels licensed for fisheries, or those bound on a whaling voyage, and having no other cargo than necessary sea stores, salt, and the usual fishing tackling and apparel, shall give a general bond in four times the value of the vessel and cargo, that they will not, during the continuance of this act, proceed to any foreign port or place, and will return with their fishing fare to some port or place within the United States.

Sec. 8. *And be it further enacted*, That if any ship or vessel shall during the continuance of this act, depart from any port of the United States, without a clearance or permit, or if any ship or vessel shall, contrary to the provisions of this act proceed to a foreign port or place, or trade with or put on board of any other ship or vessel any article or articles prohibited by this act, such ship or vessel, goods, wares, merchandize, produce, provisions, naval or military stores, shall be wholly forfeited; and if the same shall not be seized, the owner or owners, agent, freighter or factors of any such ship or vessel shall, for every such offence forfeit and pay a sum equal to double the value of the ship or vessel and cargo, and shall never thereafter be allowed a credit for duties on any goods, wares and merchandize imported by him or them into any port of the United States; and the master or commander of such ship or vessel, as well as all other persons who shall knowingly be concerned in any such violation of this act, shall each respectively forfeit and pay a sum not exceeding twenty thousand dollars for every such offence, whether the vessel be seized and condemned or not; and shall be imprisoned for a term not less than six months, nor exceeding one year; and the oath or affirmation of any master or commander knowingly offending against the provisions of this section, shall ever thereafter be inadmissible before any collector or the customs of the United States.

Sec. 9. *And be it further enacted*, That if any foreign ship or vessel shall, during the continuance of this act, take on board any specie, or any goods, wares, merchandize, produce or provisions, other than the provisions and sea-stores necessary for the voyage, such ship or vessel, and the specie and cargo on board, shall be wholly forfeited, and may be seized and condemned in any court of the United States having competent jurisdiction: and every person concerned in such unlawful shipment shall forfeit and pay a sum not exceeding twenty thousand dollars for every such offence.

Sec. 10. *And be it further enacted*, That the collectors of all districts of the United States and the territories thereof shall, and they are hereby authorised to take into their custody any specie, goods, wares, merchandize, provisions, naval or military stores, or live stock, found on board of any ship or vessel, boat or other water craft, when there is reason to believe that they are intended for exportation, or when in vessels, carts, waggons, sleighs, or any other carriage, *or in any manner apparently on their way towards the territories of a foreign nation, or the vicinity thereof, or towards a place whence such articles are intended to be exported*, or place in the possession of the enemies of the United States; and not to permit such articles to be removed until bond with sufficient sureties shall have been given for the landing or delivery of the same, in some place of the United States, whence in the opinion of the collector, there shall not be any danger of such articles being exported or placed in the possession of the enemies of the United States.

Sec. 11. *And be it further enacted*, That the powers given to the collectors by this act, to refuse permission to put any cargo on board of any vessel, boat, or other water craft, to detain any vessel, or to take into their custody any articles for the purpose of preventing violations of the embargo, shall be exercised in conformity, with such instructions as the president may give, and such rules as he may prescribe for that purpose, made in pursuance of the powers aforesaid; which instructions and rules, the collector shall be bound to obey. And if any action or suit be brought against any collector or other person, acting under the directions of, and in pursuance of this act, he may plead the general issue, and give

this act and the instructions and regulations of the president in evidence for his justification and defence. And any person aggrieved by the acts of any collector, in either of the cases aforesaid, my file his petition before the district court of the district wherein the collector resides, stating the facts of his case, and thereupon, after due notice given to the district attorney and the collector, the said court may summarily hear and adjudge thereupon, as law and justice may require; and the judgment of said court, and the reason and facts whereon it is grounded, shall be filed among the records of said court; and if restoration of the property detained or taken in custody, or permission to load as aforesaid, shall be decreed, it shall be upon the party's giving such bond with sureties as is or shall be required to be taken in similar cases by the collector, and not otherwise; but if the said court shall adjudge against such petition, the collector shall be entitled to treble costs, which shall be taxed for him, and execution awarded accordingly by the court.

Sec. 12. *And be it further enacted*, That it shall be lawful for the president of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces or militia of the United States, or of the territories thereof, as may be judged necessary, in conformity with the provisions of this act, for the purpose of preventing the illegal departure of any ship or vessel, or of detaining, taking possession of, and keeping in custody, any ship or vessel, or of taking into custody and guarding any specie, goods, wares, merchandize, produce, provisions, naval or military stores, or live stock, and also for the purpose of preventing and suppressing any armed or riotous assemblage of persons, resisting the custom-house officers in the exercise of their duties or in any manner opposing the execution of this act, or otherwise violating and assisting and abetting violations of the same.

Sec. 13. *And be it further enacted*, That it shall be lawful for the public and private armed vessels of United States to capture and seize on the high seas or elsewhere, any ship or vessel which shall have violated any of the provisions of this act, and to send the same into any port of the United States for adjudication.

Sec. 14. *And be it further enacted*, That all penalties and forfeitures incurred by force of this act, may be prosecuted, sued for, and recovered by action of debt or by indictment or information, as the case may require, and if recovered in consequence of any seizure made by the commander of any public armed vessel of the United States, shall be distributed according to the rules prescribed by the act, entitled "An act for the government of the navy of the United States," and if in consequence of any seizure made by any private armed vessel of the United States, shall be distributed according to the rules prescribed by the "act concerning letters of marque, prizes and prize goods" and the act in addition thereto: and if otherwise, shall be distributed and accounted for, in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second day of March, one thousand seven hundred and ninety-nine, and may be mitigated or remitted in the manner prescribed by the act, entitled "An act to provide for mitigating or remitting forfeitures, penalties and disabilities, accruing in certain cases therein mentioned," passed the third day of March, one thousand seven hundred and ninety-seven, and made perpetual by an act passed the eleventh day of February, one thousand eight hundred; and any officer or other person, entitled to a part or share of any of the fines, penalties or forfeitures aforesaid, may if necessary, be a witness on the trial therefor, but in such case he shall not receive any part or share of the said fine, penalty or forfeiture, but the part or share to which he would otherwise be entitled shall belong to the United States.

Sec. 15. *And be it further enacted*, That the time during which the act shall continue in force, shall not be computed as making part of the term of twelve calendar months, during which goods, wares or merchandise imported into the United States, must be exported in order to be entitled to a drawback of the duties paid on the importation thereof.

Sec. 16. *And be it further enacted*, That nothing in this act contained, shall prevent the sailing of any private armed vessel duly commissioned by any foreign power in amity with the United States, nor any vessel of the United States duly commissioned by virtue of an act, entitled "An act concerning letters of marque, prizes, and prize goods," passed the twenty-sixth day of June, one thousand eight hundred and twelve: *Provided always nevertheless*, That it shall be lawful for, and the duty of all officers of the customs and revenue officers of the United States, and they are hereby enjoined, to examine, search and effectually ascertain, the amount and kind of articles all such vessels about sailing may have on board, so as to prevent their taking any cargo or other lading than the stores, provisions, armament, furniture and equipment, generally proper and necessary for such vessels.

Sec. 17. *And be it further enacted*, That whenever it shall appear, on report made to any collector of the customs, by any officer of the customs, revenue officer or other person, that any private armed vessel has on board any article or articles, whatever, goods, wares, merchandise, or cargo of any description, intended for trade or traffic with the enemies of the United States, either directly, or intermediately through any neutral or other person or persons, or for exportation, it shall be the duty of the said collector, and he is hereby authorised, to seize all such articles, goods, wares, merchandise, and cargo of every description, and to have the same landed forthwith, to be proceeded against as forfeited to the United States.

Sec. 18. *And be it further enacted*, That in all such cases it shall be the duty of the district attorney of the United States, for the district within which the said proceedings shall take place, to proceed in due form of law for the condemnation and forfeiture of the said articles to the use of the United States.

Sec. 19. *And be it further enacted*, That in all cases of condemnation as aforesaid, the captain or other commanding officer, and each and every of the owners of such private armed vessels, shall be fined in a sum not exceeding one thousand dollars each.

Sec. 20. *And be it further enacted*, That this act shall be in force from and after the passing thereof, until the first day of January, in the year of our Lord, one thousand eight hundred and fifteen, unless a cessation of hostilities between the United States and Great Britain and Ireland and their dependencies shall take place before that day; in which event, or in any other event that shall, in the opinion of the president, render the termination of the embargo hereby imposed compatible with the public interest, the president of the United States is hereby authorised to declare by proclamation, that this act is to cease and have no effect.

## Mr. Giles' Letters.

*Observations on the address, No. 1, of the honorable William B. Giles—by a correspondent of the Virginia Argus.*

There is a great deal of apparent frankness and sincerity in No. 1. of Mr. Giles' address to the people of Virginia, and a great deal of real artifice. He vindicates the purity of Mr. Madison's *motives*, but more than insinuates the feebleness of the president's *conduct*. He is willing to allow the executive of the United States a *good heart*, if he can only persuade the nation that the chief magistrate's *head is weak*.—This, to be sure, is to "damn with faint praise," and too much to practise under the auspice of a considerable name, the very art of which Mr. Giles complains as prevailing under "anonymous disguises." Our distinguished senator has very clearly demonstrated that he does not think as Mr. Madison thinks, which, according to a celebrated writer, only proves that Mr. Madison does not think as Mr. Giles thinks. But whether the president or the honorable senator, is *right*, still remains for the people to determine.

Mr. Giles rests the defence of his votes, upon the nomination of Mr. Russell as minister to Sweden, on two points: *first*, because the grade of *plenipotentiary*, proposed by the president, did not correspond with the grade of *resident*, proposed by the king of Sweden. And *second*, because the president declined revealing to the senate the considerations which induced him at this time to nominate a minister to Sweden.

On the first point, Mr. Giles brings to his aid various reflections, calculated to shew, that it has been hitherto held a sacred maxim, not to increase our diplomatic agents in Europe, especially among the minor powers. But here his argument runs into contradictions; for he admits, in the sequel, that the senate would cheerfully have voted for a minister *resident*, which gives up the objection concerning the extension of diplomatic agents, inasmuch as a minister resident is a diplomatic agent. Mr. Giles appears to have had a glimpse of this logical defect in his address No. 1, and to obviate it displays, what I am very much surprised at, a singular ignorance of the qualities of different grades of public ministers. Thus, he asserts that a minister resident is a mere minister of ceremony; whereas the very reverse is the fact. A minister resident is, indeed, of less dignity than an ambassador, or an envoy extraordinary, and perhaps less than a minister plenipotentiary; not however, in relation to *real business*, but only in relation to sovereign importance. A minister resident is always charged with the affairs of his own government near the government with whom he resides; and a minister plenipotentiary is charged with no more. As to mere ceremonial, the higher diplomatic dignity the more ceremony. So that if it were Mr. Giles' intention to shew the king of Sweden a little courtesy, he ought, in conformity with custom, to have voted for the plenipotentiary in preference to the resident.* But there is one thing touching this extension of political agencies abroad which he has not considered. It is this: to have nominated a minister resident in Sweden, would have been to have departed from the usual practice of the American government in a more important particular than the addition of one more plenipotentiary to our list. It would have been *to commence a new grade of ministers*, which being of a character to correspond with the minor sovereign dignities of Europe, would have opened the door for Saxony, Westphalia, Bavaria, &c. &c. and have consequently led the way to that very increase of ministers which Mr. Giles so strenuously condemns. And then to strengthen his deficient reasoning, he draws our attention to the supposed little importance of Sweden, to her small influence with the British, and to the unstable policy of the president in attempting to seek peace through her means. Sweden, it is admitted, is a small kingdom; yet, from her peculiar position on the Baltic, from the military reputation of her crown-prince, and the singular situation of the European states, her friendship was, at the time when Mr. Russell was nominated, and is even now, of vast advantage to Great Britain. The best proof of this is the conduct of Great Britain herself. We have seen the British ministry paying a large subsidy in money to Sweden, ceding to her the island of Guadaloupe, and offering violence to Denmark in order to gratify the crown prince. Would Sweden then have no influence with Great Britain? I think she should have a great deal. And this influence, added to that of Russia, might have weighed with our enemy to an effective purpose. It is not because Sweden is small, as to resources, that she is insignificant. The smallest things, in certain positions, are exceedingly consequential A grain of gravel, which we tread with contempt under our feet, if located in a certain way, will compel us to confess, by excrutiating pains, that every thing in this world is potent or imbecile according to circumstances, and the relation which it holds with regard to other things. But, then, again, the *instability of Mr. Madison's policy!* Seek peace through Sweden?—What wickedness! *There* is a straw for a drowning man to catch at! Inform me, Mr. Giles, what is the *object* of this war? *Peace:* is it not? Peace, *with our rights secured.* Did the president offer to surrender those rights? Did he relax in military preparation? At the very moment when Mr. Russell was nominated, was not the war driven with a vigor unprecedented at any previous period of its existence? Ship-building, on the lakes and on the seaboard, and recruiting, were they not pushed with ardor? Where was the adversary to suspect weakness in the government? How was that weakness to be concealed by a negative on Mr. Russell? Our elections, which are the sole strength of this government, are at all times open; the acts of the government are at all times notorious; there could be nothing unknown to the adversary. Besides, the administration had uniformly asserted its devotion to peace, its aversion to war. It had invariably proclaimed that the delaration of war was an act of necessity,

* In speaking on this subject, Vattel (b. 4, c. 6,) gives the pre-eminence to *ambassadors*, of which grade of public ministers the United States have none. Of ministers *resident*, he says, "the word *resident* formerly related only to the continuance of the ministers stay, and it is frequent in history for ambassadors in ordinary to be styled only residents. But since the establishment of different orders of ministers, the name of resident has been limited to ministers of a third order, to the character of which general practice has annexed a lesser degree of regard. The resident does not represent the prince's person in his *dignity*, but only *in his affairs*. His representation is, in reality, of the same nature as that of the envoy; and he is accordingly, together with the envoy, often termed a minister of the second order; and the public ministers are distinguished only into two classes, ambassadors who have the representative character, so termed by way of excellence, and all the ministers who are not invested with that eminent character. This is the most necessary distinction, *and indeed the only essential.*"

and that the moment Great Britain could be induced to return to a sense of justice, the war should cease. These were the avowed sentiments of the executive. There was, therefore, no degradation in seeking peace, *on our own terms*, through the proffered mediation of Russia, nor any mark of instability in cultivating, with that view, the friendship of Sweden.

With these observations upon Mr. Giles' first point of justification, I proceed to the *second*. On this latter point there is it must be confessed, strange criticism of words. "*Information*," Mr. Giles asserts, relates exclusively to "*facts*;" and "*considerations*" to "*opinions*." He admits, that Mr. Madison tendered to the senate "*suitable information*" concerning the nomination of Mr. Russell. But this "*suitable* information," he thinks, would not develope the president's "*consideration*," which induced Mr. Russell's nomination. If this is not straining at a gnat, Heaven knows what is! Let us examine this explication of words. What do we understand by "*information?*" Does that sole word imply any fact at all? Must it not be connected with something else to give it precision? And if I state to you my *opinions*, do I not *inform* you of them, and is that not to give you "*information*," in relation to opinions, as accurately and grammatically, as if I gave you *information* relating to facts? How can a grave senator descend to this trifling? Is it the "*infirmity of nature?*" Or, what is it?

Yes, yes, (quoth Mr. Giles,) but the "suitable information" which the president proposed to give, must be called for by resolution; and *opinions* are never asked for in that method. Why, then did not the honorable Messrs. Wells, Giles and King, the senatorial committee appointed to confer with the president, meet Mr. Monroe, the secretary of state, according to his intimation of the 23d of June? By the way Mr. Giles has omitted Mr. Monroe's note of that date, which, being a very material paper, he ought to have inserted in discussing Mr. Russell's nomination. If for his own convenience, he "inverts the order of time," he ought not to invert the order of facts. The omision looks suspicious. In that note Mr. Monroe says to the committee, "The president "has authorised me to confer with you on that [Mr. "Russell's] subject, *and to communicate to you ANY "INFORMATION which YOU MAY BE DESIROUS OF OBTAINING FROM THE EXECUTIVE.* I will have the honor to meet you, for this purpose, at such place and hour as you will have the goodness to appoint." Here we find that the secretary of state, by the president's instructions, proposes to give to Messrs. Wells, Giles and King, "*any* information" which they might desire.—The communication would, of course, have been verbal; opinions could then have been stated, and the senate would thus have come at the "*considerations*" so much desired by Mr. Giles. But what was the course pursued by this gentleman and his colleagues? They refused, by a written note to meet Mr. Monroe; they would only confer with the president in person. This brings me to the great constitutional question: *The independence of the executive branch of the government.* In making appointments the president and senate are co-ordinate: The president nominates, the senate advise and consent. The president, in the business of nominations, is *equal* to the *whole body* of the senate. If they appoint a committee to confer with him, he may appoint a committee to meet their committee. This would be preserving the *equality* between himself and the senate, as established by the constitution. Messrs. Wells, Giles, and King, were the senatorial committee; Mr. Monroe was the president's committee. Through his committee the president offered to give "*any* information," of fact or opinion, which the senate required.—The senatorial committee *declined it.* They would "commune" with the president alone: In other words, they would reduce the president from his constitutional equality with the senate, to a par with a mere committee of the senate. This was on the part of the senatorial body, an attempt at usurpation of the executive function; it was an effort to degrade the president, to lessen his dignity, to bring him, in fact, *to the feet of the senate!* In resisting this attempted usurpation, Mr. Madison nobly did his duty and will reap an honorable reward. It ought never to be forgotten, that American liberty is the effect of independence in all the branches of government; and that whatsoever branch endeavors to encroach upon another, must be watched; and checked by the voice of the people.

## Legislature of North Carolina.

The following memorial of the senate and house of commons of North Carolina, addressed to the president of the United States, has been transmitted by the hands of gen. *Calvin Jones.*

*To James Madison, Esq. President of the United States. The memorial of the senate and house of commons of the general assembly of North Carolina —respectfully represents,*

That upon the declaration of war by the United States against Great Britain, your memorialists hoped and expected that measures would have been taken by the general government to defend the sea coast of this state. In this hope and in this expectation we have been disappointed. His excellency the governor of this state has laid before us his communications with the department of war of the United States, in which he has exposed the condition of our sea-board, represented the points most liable to attack, suggested means of defence, and enforced the claims of this state upon the general government for protection. We regret that the general government has not given that attention to those representations which their importance merited; and this regret is increased by the consideration that a comparatively small expenditure of money would have placed North Carolina in a state of safety from the predatory incursions of the enemy. A due regard, however, to the interest of the state, forbids us any longer to remain in this uncertainty and in this insecurity. The time has now arrived when your memorialists wish distinctly to understand, whether the general government will afford to them the necessary protection. The enemy are off our coast: We know not at what hour or at what place they may land and plunder our towns and country on the sea-board. We earnestly request you, sir, without delay to inform us whether measures will be immediately taken for our protection. We make this enquiry thus early after having assembled together, that we may be able during our session to give to North Carolina an attitude suited to her population and the extent of her resources; and to extend to our sea coast the requisite protection, should it be longer withheld by the general government. We invite your attention to the communications of his excellency the governor of this state with the department of war of the United States, and earnestly entreat you to give immediate effect to the mode of protection and defence therein pointed out.

## Legislature of Georgia.

INAUGURATION OF THE GOVERNOR.

*Milledgeville, Nov. 5.*

Twelve o'clock this day being set apart for inaugurating the governor elect; the president and mem-

bers of the senate attended in the representative chamber for that purpose, when his excellency PETER EARLY, the governor elect, attended by his late excellency governor Mitchell, the judges of the circuits, state-house officers, and members of congress, entered the representatives chamber; when the governor elect, with his characteristic emphatic eloquence, delivered to both houses the following address; the oath of office was then administered by the honorable William Rawn, the great seal of the state handed him by governor Mitchell; and they withdrew.

*Fellow-citizens of the Senate,*
*and House of Representatives,*

Called by the voice of the legislature to perform the functions of the executive department of this government, I cannot forbear from expressing to you the deep sense I feel for this proof of the public confidence.

The duties of the station at all times important to the community are at the existing crisis peculiarly arduous, delicate and interesting. And I do most devoutly supplicate heaven that nothing may be done on my part contrary to the true interest of this people.

The hopes, the honor, and the happiness of our nation, are staked in the contest with a most formidable foe. In this conflict the people of Georgia have a feeling and interest inferior to that of no part of the union. I approach the duties of the executive department with a due sense of their increased difficulty and of the high responsibility attached to the trust and will with sincerity pursue that course which my best judgment shall direct. But that judgment may often err. Error, at all times the portion of human nature, will be rendered more probable with the increase of the public difficulties. The general feelings, too, always keep pace with the interesting condition of public affairs.

Permit me then to ask of you gentlemen and of the community the observance of a rule of justice, due to all men but peculiarly important to those in high trusts. It is not to condemn until the whole ground can be viewed.

There is one consideration that ought to be borne in constant recollection. That species of measures now the most interesting to the public mind must in most cases be undertaken and prosecuted under the diction and control of the general government. 'Tis only in cases of actual invasion or such imminent danger thereof, as will not admit of delay, that the state authority is at liberty to act for itself.

In the arduous toils which lie before us, 'tis the duty of all to unite. Union amongst ourselves will render us formidable to our foe, and crown our labors by the establishment of our just rights. But dissention and feeble counsels will make us the sport of our antagonist and the reproach of the world.

I will now proceed to take the oath of office, prescribed by the constitution.

# Pennsylvania—election-statistics.

The following very interesting tables to shew the result of the late elections in *Pennsylvania*, were prepared by a gentleman at *Harrisburg* to oblige the editor. We venture to say, they are as entirely correct as things of the kind can be; and will afford much satisfaction in reference and remark.

The gentleman observes—"I have only stated the votes given to the representatives, because they have *all* been recently elected; and therefore more fully express the sentiments of the people."

The late elections in Pennsylvania do not appear to have been warmly contested, and the whole amount of votes given is far short of the number that would be polled, if an active opposition existed. *The real republican majority in this state exceeds thirty-five thousand votes.*

## LEGISLATURE OF PENNSYLVANIA—1813.

### SENATE.

| No. | DISTRICTS. | Rep. | Fed |
|---|---|---|---|
| 1. | City and county of Philadelphia | 2 | 2 |
| 2. | Chester and Delaware | 1 | 1 |
| 3. | Bucks | 0 | 1 |
| 4. | Lancaster | 1 | 1 |
| 5. | Berks and Schuylkill | 2 | 0 |
| 6. | Dauphin | 1 | 0 |
| 7. | Montgomery | 1 | 0 |
| 8. | Northampton, Wayne, &c. | 2 | 0 |
| 9. | Northumberland and Luzerne | 2 | 0 |
| 10. | Centre, Lycoming, &c. | 1 | 0 |
| 11. | York and Adams | 1 | 1 |
| 12. | Mifflin and Huntingdon | 1 | 0 |
| 13. | Cumberland | 1 | 0 |
| 14. | Bedford, Somerset, &c. | 1 | 0 |
| 15. | Franklin | 1 | 0 |
| 16. | Westmoreland, Armstrong, &c. | 0 | 1 |
| 17. | Fayette | 1 | 0 |
| 18. | Washington and Greene | 2 | 0 |
| 19. | Alleghany, Beaver, &c. | 2 | 0 |
| 20. | Erie, Crawford, &c. | 1 | 0 |
| | | 24 | 7 |

The senators are elected for four years—of the seven elected in October last, six are republicans and one a federalist.

### HOUSE OF REPRESENTATIVES—*Elected Annually.*

| No. | DISTRICTS. | Repub votes. | Fed. votes. | Repub. Memb. | Fed. Memb. |
|---|---|---|---|---|---|
| 1 | City of Philadelphia | 3,143 | 2,054 | 5 | 0 |
| 2 | County of Philadelphia | 3,524 | 1,739 | 6 | 0 |
| 3 | Bucks | 2,407 | 2,011 | 4 | 0 |
| 4 | Chester | 2,937 | 2,787 | 5 | 0 |
| 5 | Lancaster | 2,377 | 2,488 | 0 | 6 |
| 6 | York | 1,682 | 811 | 4 | 0 |
| 7 | Cumberland* | 1,987 | no tic. | 3 | 0 |
| 8 | Berks and Schuylkill | 3,149 | ditto | 5 | 0 |
| 9 | Northampton, Wayne, &c. | 3,549 | ditto | 5 | 0 |
| 10 | Northumberland, &c. | 1,963 | ditto | 4 | 0 |
| 11 | Washington | 1,737 | ditto | 4 | 0 |
| 12 | Armstrong and Indiana | 349 | 463 | 0 | 1 |
| 13 | Westmoreland | 1,780 | 883 | 3 | 0 |
| 14 | Fayette | 977 | none | 3 | 0 |
| 15 | Bedford | 1,420 | 448 | 2 | 0 |
| 16 | Franklin | 1,396 | 720 | 3 | 0 |
| 17 | Montgomery | 2,489 | 1,381 | 4 | 0 |
| 18 | Dauphin, &c. | 2,475 | 338 | 3 | 0 |
| 19 | Luzerne, &c. | 1,218 | 1,010 | 2 | 0 |
| 20 | Huntingdon | 869 | 751 | 2 | 0 |
| 21 | Beaver | 660 | none | 1 | 0 |
| 22 | Allegany and Butler | 1,800 | 1,279 | 4 | 0 |
| 23 | Mifflin | 656 | none | 2 | 0 |
| 24 | Delaware | 754 | 993 | 0 | 2 |
| 25 | Somerset, &c. | 1,083 | 311 | 2 | 0 |
| 26 | Lycoming | 1,168 | none | 2 | 0 |
| 27 | Greene | 428 | none | 1 | 0 |
| 28 | Adams | 473 | 1,246 | 0 | 2 |
| 29 | Centre | 600 | none | 1 | 0 |
| 30 | Erie, Crawford, &c. | 637 | none | 2 | 0 |
| 31 | Mercer and Venango | 653 | none | 2 | 0 |
| | | 50,278 | 22,295 | 84 | 11 |

* In this and several other counties *two* republican tickets were run by which the aggregate republican majority is greatly reduced.

### REPRESENTATION IN THE THIRTEENTH CONGRESS.

| No. | DISTRICTS. | Rep. | Fed |
|---|---|---|---|
| 1. | City and county of Philadelphia and county of Delaware | 4 | 0 |
| 2. | Counties of Chester and Montgomery | 2 | 0 |
| 3. | Lancaster and Dauphin | 2 | 0 |
| 4. | York | 1 | 0 |
| 5. | Cumberland, Franklin and Adams | 2 | 0 |
| 6. | Bucks, Northampton and Wayne | 2 | 0 |
| 7. | Berks and Schuylkill | 1 | 0 |
| 8. | Bedford, Somerset and Cambria | 1 | 0 |
| 9. | Mifflin, Huntingdon, &c. | 1 | 0 |
| 10. | Northumberland, Luzerne, &c. | 2 | 0 |
| 11. | Westmoreland, Armstrong, &c. | 1 | 0 |
| 12. | Washington | 1 | 0 |
| 13. | Fayette and Greene | 1 | 0 |
| 14. | Allegany and Butler | 1 | 0 |
| 15. | Beaver, Mercer, Erie, &c. | 1 | 0 |
| | | 23 | 0 |

Senators of the United States, two republicans.

## Banking capital of New-York,

SUPPLEMENTARY TO PAGE 245.

The *Albany Argus* of the 14th, has the following list of intended applications to the legislature for *new* banking companies. The mania is truly alarming—though, perhaps, the establishment of some of them may be expedient.

AT NEW-YORK.

| *Style.* | *Capital.* |
|---|---|
| Coal Company, | $ 1,250,000 |
| Commission company, | 1,400,000 |
| Patent cloth man. company, | 1,250,000 |
| Grocers' Bank, | 1,250,000 |
| Millers' Bank, | 1,250,000 |
| North River Bank | 1,000,000 |
| Vermont mining and smelting company, | 1,000,000 |
| | 8,350,000 |

AT ALBANY.

| | |
|---|---|
| Merchants' Bank, | 1,000,000 |
| Commercial Bank, | 1,200,000 |
| North River Bank, | 1,200,000 |
| | 3,400,000 |

| | | | |
|---|---|---|---|
| *Schenectady,* | Merchants and Mechanics, | | 400,000 |
| *Utica,* | | | 1,250,000 |
| *Johnstown,* | Montgomery Bank, | | 250,000 |
| *Cooperstown,* | Bank of Otsego, | (say) | 250,000 |
| *Auburn.* | Western District Bank, | | 300,000 |
| *Canandaigua,* | | (say) | 400,000 |
| *Geneva,* | | | 400,000 |
| *Oxford,* | | (say) | 250,000 |
| Aggregate capital, | | | $ 15,250,000 |

## Female Heroism.

On reading the following, we could not refrain from exclaiming——*Would that such had been the fate of the British monsters at Hampton!*

*From the Richmond Enquirer.*—The following singular achievment occurred in this neighborhood a few nights since. We record it as an example of that happy presence of mind and resolution in the weaker sex, which are worthy of imitation.

The heroine of this story is the wife of a militia man, who is now serving his tour of duty at Norfolk. They are poor but respectable persons, who live in the county of Hanover, about 10 or 12 miles from this city. Their house is near the farm of a Mr. Bootwright: it is small, and has but a single room to it.—The woman is a mother, with an infant about 4 months old. A few nights since she had retired to bed, lonely and unprotected, with no one but her sleeping infant beside her. The night was dark and rainy—the feeble light of the fire alone glimmered in the room. Amidst such a scene, so cheerless and full of gloom, so well calculated to excite the fears of women, she was disturbed by a sudden rap at the door. She asked, who was there? A gruff and authoritative voice demanded an entrance. She again enquired the name of the intruder. The person without replied, that if she did not open the door immediately, he would break it open. She begged him to wait for a moment and she would let him in. Having huddled on a few clothes and thrown some light wood upon the fire, she opened the door and was surprised to find a negro, a man, a slave of her neighbor Mr. Bootwright's! She demanded of him what he wanted. He informed her with an authoritative air, that he had come to sleep with her. Being acquainted with the fellow, she replied with more confidence than she could otherwise have assumed, that he must be drunk and out of his senses. "None of your airs [replied the ruffian] my mind is made up, I will sleep in that bed to-night, or take your life."—Terrified by his manner, made desperate by her situation, yet determined to yield her life rather than submit to his wishes, she yet had courage enough to devise a scheme for her escape which she carried into instant execution. Looking down at his feet, she discovered that they were muddy—"Why [said she] you cannot think to sleep in my bed with such feet as these—you must wash them." The fellow thinking himself on the eve of accomplishing his wishes, very readily assented to the terms—and she pouring some water in a noggin, seated him in a chair on the hearth, with his back towards the rest of the room. Stepping back, she seized an axe which lay on a table near the door, and ere the splashing of the water over his feet permitted him to suspect her intentions, she whirled the axe with such tremendous effect upon his skull, that he fell dead from his seat. She caught up her child, rushed out of the house, and made the best of her way through the rain and gloom of the night to her neighbor Mr. Bootwright. To him she disclosed the terrific events which had just transpired: when he replied in a manner that does him credit, "that he was sorry to lose such a fellow; but, that so far from blaming her, he commended the *spirit* which she had exhibited in the defence of her *virtue*." Persons were immediately sent to the scene of these transactions, when the evidences of her heroism were placed before them. So effectual was the blow he had received, so powerfully had her arm, nerved by desperation and terror, fallen upon his skull, that in the act of tumbling into the hearth from his stooping posture, his brains had fallen from their cavity into the noggin between his feet.

We learn (says the Enquirer) that name of the female, whose courage saved her from the grasp of the ravisher, is Mrs. Bowles—and that the executive council taking into consideration the following letter from the mayor of this city, have unanimously taken such measures as they have deemed most proper for procuring, if possible, the discharge of her husband from service at Norfolk:

*Copy of a letter to the honorable the chief magistrate and executive of the state.*

City of Richmond, Mayor's office, 15th Dec. 1813.

*Most respectable sirs*—Never was the omnipotent hand of the Most High, I am convinced, more signally extended, than it has recently been in the rescue of a forlorn, helpless female, from the fell designs of a fiend! a monster in human shape!! Her mind in a moment endued with power; and her arm nerved with supernatural strength; she has performed an act of prowess, the remembrance of which will be deeply engraven on the hearts of all her contemporaries, and by the historian handed down to the latest posterity. The Enquirer of this morning gives the recital! None can read it without emotions, that I shall not attempt to describe!—Suffice it to say, that the heroine is poor, forlorn and destitute—that her husband is far from her, fighting the battles of his country. That she at this awful crisis, needs more than ever, conjugal solace. Can it be afforded her? I presume not to dictate. But if the circumstance, with the weight, that your honorable body could give to it, was communicated to the commander under whose banners he is enrolled, is it not presumable, that his discharge might be obtained? If a substitute was required, I unhesitatingly say, one might be instantly procured. As an individual, who under the mild influence of our government enjoys the privilege of free communication with his superiors; conjoined with the office I hold by the will of my fellow citizens, I am emboldened thus to address you, and with the highest respect, subscribe myself your most obedient.

RO. GREENHOW, Mayor.

# Events of the War.

## MISCELLANEOUS.

A letter from *Halifax* announces a fact that we are very sorry for; it says that all the vessels of war that were driven ashore by the gale, had been got off; but many of them much damaged.

The *French* vessels, when they come in contact with the British, are desperate, since our tars taught them that *Britons* may be beaten. The French privateer *Reynard*, of 14 guns and 60 men, lately encountered a British sloop of war of 22 guns, and after a dreadful battle sunk her. The fight was in the English channel. The vessels lay "muzzle to muzzle" for several broad-sides. The French had 6 killed and 40 wounded, only 14 escaping unhurt; but the English vessel went down so quickly that not one of her crew was saved!

COTTON was sold in *Baltimore* last week for 40 cents *per pound* by the quantity. It has been sold at that price in *Philadelphia*. The home demand is monstrous; but this price is too great. Within four or five days after it fell 10 to 15 cents *per pound*.

FOREIGN COMMODITIES.—The great speculations that have lately been made in *sugar*, *coffee*, *tea*, and many other articles of foreign produce, has induced one of the *Philadelphia* editors to propose *non consumption* associations. It is probable that more goods have been bought and sold in our cities within the last two weeks than for the whole period of the present year! The gambling is high; and immense sums will be won or lost. It appears to extend from one end of the union to the other. The price of these goods is amazingly enhanced. Many bankruptcies may be expected from this wild business.

FLORIDA.—Two British sloops of war, having under convoy a very valuable ship laden with dry goods, &c. passed Havana, November 1, from New-Providence bound to *Pensacola*.

HONOR TO THE BRAVE.—The legislature of *Pennsylvania* have voted the thanks of that commonwealth to captain *Oliver Hazard Perry*, of the state of Rhode-Island, with a gold medal—to "master-commandant *Jesse D. Elliot*, of the state of Pennsylvania, with a like medal;"—"and to those citizens of Pennsylvania who gallantly volunteered on board the American squadron on lake Erie," a "silver medal of the weight of two dollars, with each persons name thereon, and emblematically furnished in such manner as the governor shall direct," for the victory obtained on that lake "that has no parallel in the history of naval engagements." These resolutions passed unanimously.

The legislature of *Georgia* have also unanimously voted the thanks of that state to commodore *Perry*, his officers and their crews, for the victory on Erie.

If in *titles* and *sinecures*, things unknown to the *republic*, we cannot rival a *monarchy* in rewarding our defenders, there is a glow of honest patriotic gratitude, that must be more pleasant to the noble mind, than any favor that a *knave* or a *fool* can bestow.

INFAMOUS TRAITORS.—*It is a matter of fact*, that the British squadron off *New London* had information of the departure of commodore *Rodgers*, in less than twelve hours after he sailed. *It is a matter of fact*, that a few days ago, when it was believed at *New-London*, Decatur's squadron would put to sea during the night, that *blue lights* were raised on the heights round that town; evidently designed as signals to the British fleet!

THE SOUTHERN INDIANS.—The Tennessee papers contain a "talk" of *Mussulatubla*, one of the most considerable of the *Choctaws*, in which he urges a supply of ammunition and arms that he may march against the *Creeks*; who, he says, have violated the treaty of peace and ought to be chastised. His request was partly complied with. The *Chickisawe* had been charged with the murder of certain white persons; through their interpreter, they most earnestly disavow the accusation, saying it was done by the *Creeks*. They are willing to give any proof that may be required of them, of their attachment to the United States; and have marched against the hostile Indians. A *Nashville* paper of the 30th ult says—A flag arrived at head-quarters on the 17th, from the Hillooby town, suing for peace—offering to lay down their arms, and, never again to go to war with the United States; nor commit any depredations on either the persons or property of our citizens, and to accept of any conditions gen. Jackson might demand. The general answered, we learn, "that if they would give up all the prisoners they had taken of the friendly party of Indians, and their property; all those, of their town who were at fort Mims, and those who have been concerned in committing depredations on our frontiers, and would join him when he got to their town (if he required it) in chastising those who remain hostile, he would take them under his protection."

This is one of the towns whose warriors were in the battle of *Tulledega*. Every man of them was either killed or wounded, who was in the battle and six of the wounded have since died."

THE KEY STONE.—The legislature of *Pennsylvania* has passed an act for the immediate payment of that state's quota of the United States' *direct tax*. Against it, in the house of representatives, *two* votes; in the senate, *one* vote!

FORGERY.—The *Albany Register* informs us that some persons near the frontiers have extensively forged the *British army bills*, and passed them to a considerable amount to the *Canadian* merchants.—This is "returning the compliment;" for most of the floods of counterfeited bank notes that have occasionally inundated the eastern states issued from the *British* possessions. It is the *speculation* of individuals; and though individuals, or even the government may embark in this *commerce* without violating BRITISH "*morality*," or "*religion*," or "*magnanimity*," we hope that every effort will be made to stop the dishonorable proceeding. There is nothing more notorious than that the British counterfeited *our* "continental money" during the revolution; and "*his majesty's*" ships carried an immense quantity of forged paper with them in the infamous *Quiberon* expedition, in 1795, purporting to be assignats of *France*, with a view to destroy the credit of the circulating currency. Latterly, all sorts of *American official papers* were counterfeited and publicly sold in *London*, under the immediate protection of the government;—yet, we trust that *forgery* and *confiagration; negro stealing*, and all sorts of *Cockburn-plundering*; the *murder of prisoners*, and *assassination of women and children*, by white or red savages; *ravishment* and the *robbery* of *churches*, will never be returned, "like for like" by the *American* people or government. Let these things characterise the nation that has been ridiculously called the "*Bulwark of the religion* WE *possess*."

SMUGGLING.—We learn, with pleasure, that some very valuable seizures have lately been made at *New York*, by the officers of the customs.

## MILITARY.

*Wilkinson's army*, we are told in the *Albany Argus*, are in comfortable quarters at *Salmon River* (French Mills) with an abundance of every thing. The 18 months men have re-enlisted, almost without an exception. It was thought the British might attack the post; but no apprehension was entertained of the result. A citizen of New-York was apprehend

ed, suspected of having put up at the camp the following placard, addressed, *"To the American army at Salmon River."*

"NOTICE.—All American soldiers who are willing to quit the unnatural war in which they are at present engaged, will receive, at the British outposts, the arrears due to them by the American government, to the extent of five months' pay. No man shall be required to serve against his own country."

BOUNTY ON MARITIME PRISONERS OF WAR.

*Circular from the commissary general of prisoners to the collectors of the United States.*

Office of Commissary General of Prisoners,
*Washington, November 30th*, 1813.

SIR—By an act of congress, passed on the 2d day of August last, it has been provided, that a bounty of twenty-five dollars to be paid to the owners, officers and crews of private armed vessels of the United States, commissioned as letters of marque, for every prisoner of war by them captured, brought in, and delivered at a port in the United States, to an agent authorised to receive them.

In order to carry the law into effect, with the proper security to the public interest, and as much convenience to the citizens concerned as can be afforded, commanders of private armed vessels, and masters of vessels, sent in with prisoners by them, are in all cases required on their arrival in a port of the United States, to make a report to the collector, of the prisoners they may have brought in, before landing them, in the form enclosed. To render the compliance with this necessary formality more certain, you will furnish a copy of these instructions to each commander of the private armed vessels which may be commissioned at, or sail from your port; and you will give notice to the master of each vessel bringing in prisoners so captured, immediately on their arrival in your port, of what is required of them, and will furnish him with the form.

So soon as the report is made, you will give notice to the marshal or deputy marshal of the United States, if there be one resident at, or immediately near the port in which such vessel may come, of the arrival of the prisoners. He will be instructed to act in concert with you, and to take charge of them.—You will direct the prisoners then to be landed, and will verify the report of the master or commander, with the marshal or deputy marshal, and when found right, direct the prisoners, forthwith, to be delivered to him. You will so certify the report on four copies, and the marshal will add to each his receipt for the prisoners. One of these reports is to be filed in your custom-house, two to be transmitted to this office, by the first mail, and one to be left with the commander or master of the vessel delivering the prisoners, for the use of the owners or agent of the vessel, by which the prisoners were captured, in making the claim for the bounty at the treasury.

If there be no marshal or deputy marshal immediately near your port, you are in such cases, requested to proceed of yourssIf, to verify, certify and dispose of the report, in the manner herein before directed, adding to each your own receipt for the prisoners, and to take charge of them for the time being, giving immediate information to the nearest marshal or deputy marshal of their number and general description, and calling on him to send for, and receive them, with as little delay as possible.

During the time that such prisoners may be in your charge, you are requested to furnish them with subsistence as provided for by the cartel of the 12th of May last, in the most economical manner in your power, and to have all, who are not commissioned officers, midshipmen, masters, or masters mates, in the navy or army of the enemy, or masters, or first lieutenants, or mates of private armed vessels or merchantmen, or non-combattants, according to the second articles of the cartel, closely confined or guarded, so as effectually to prevent escapes. Those of the description enumerated not to be confined, you will parole in the form prescribed by the fourth article of the cartel, to remain at, or in the immediate vicinity of your port, until placed in charge of the marshal.

In the expenditure of money, which it may be necessary for you to make under these instructions, it is expected, that you will use all practicable economy, and you will transmit your accounts, supported by the proper vouchers, for payment to this office.

I enclose, sir, for your information, a copy of the instructions to the marshals, touching the subject of this letter, and copies of the form of the report.

You will please to observe, sir, that it is intended to pay the bounty on all prisoners so taken and brought in, who are in the public service of the enemy or found on board their private armed or merchant vessels, except those of the description designated as non-combattants by the second article of the cartel of the 12th of May, heretofore furnished you. You will therefore be careful to have described in the report, against the name of each person, in the column headed—*Rank or Quality*—their particular character, on board the captured or re-captured vessel, on which they were found.

I have the honor to be, sir, your most obedient servant.

J. MASON.

*Extract of a letter from Mr. Cathcart, the United States' consul at Madeira, dated*

Madeira, August 17th, 1813.

"Inclosed is the affidavit of John Green, who escaped as it were miraculously from British tyranny; his two companions were drowned. It would be an act of humanity to inform their friends of their cruel fate through the medium of the public prints."

*Consulate of the United States of America at Madeira.*

I, JAMES LEANDER CATHCART, Esquire, consul and navy agent of the United States of America for the island of Madeira and its dependencies, do hereby certify and attest, that on the day of the date hereof, personally appeared before me, John Green, a native of East-Port, Massachusetts, who being duly sworn on the Holy Evangelists of Almighty God, solemnly deposed, that in the month of January, A. D. 1813, he shipped in Portland, Massachusetts, on board the brig Margaret, James Scoffield, master, of said place, bound as he supposed to St. Bartholomews, with a cargo of boards and hoop-poles; but that the captain carried the vessel into Point Petre, Guadaloupe, where the cargo was sold and molasses taken on board, when they were given to understand that the vessel was seized, and that they must either go to prison or ship on board the British merchant ship Caroline, Goadley, master, bound to London, who wanted hands; they preferred the latter, and on their voyage put into Plymouth, England, with contrary winds, and all, though they had all regular protections, were pressed on board his Britannic majesty's ship the Superb, of 74 guns, the hon. James Pagett, commander, in the month of June, 1813, and being on a cruize, they anchored in Funchal roads on the 27th day of July, A. D. 1813, and on the night of the same day, he, the said John Green, in company with James Moses, a citizen of the United States, who formerly belonged to the said brig Margaret, and likewise with James Ingleson, belonging formerly

to the brig Experiment, of Portland, James Rodgers, master, both vessels being owned by the same merchant in Portland, and both taken under the same circumstances at Guadaloupe, did attempt to swim on shore from the said British ship of war Superb, leaving on board said ship, Daniel Bonnell, of East-Port, Massachusetts, who could not swim; that being discovered the sentinels fired at them several times, and that two boats were sent after them, but that they escaped their search, but being long in the water, James Moses and James Ingleson, being both exhausted, sunk before they reached the shore and were both drowned; and that he, John Green, reached the shore with great difficulty, after having been about six hours in the water; that he lay upon the rocks until humanely assisted next morning by an Italian who belonged to the theatre, who had him carried in a palanquin to the American consul's house in Funchal, who immediately sent him to the hospital, where he remained until he recovered, and was then lodged in comfortable quarters, with other distressed seamen, until an opportunity offers to send him home to the United States.

In testimony of the truth thereof, I have hereunto subscribed my name and affixed my seal of office at the city of Funchal, island of Madeira, this tenth day of August, in the year of our Lord, one thousand eight hundred and thirteen, and of the independence and sovereignty of the United States of America the thirty-fifth.

JAMES LEANDER CATHCART.

FROM THE NEW YORK GAZETTE.

*Messrs. Lang and Turner*—I have noticed, with no little regret, repeated misrepresentations in the American newspapers, of the treatment American prisoners receive in his majesty's dominions. In some instances, I have had an opportunity of knowing they were inconsistent with truth, and I have reason to believe they are generally incorrect.

Can it be supposed that American prisoners do not receive the allowance of provisions agreed on the part of Great Britain to be delivered, and that this government remain uninformed of it; or that it would remain an unconcerned spectator of the deprivation in the allowance and abuse in the quality of the provisions stipulated to be delivered to their citizens when prisoners? I feel assured that general Mason, the American commissary general for prisoners, would, did he know, or even suspect injustice was done to American prisoners, without delay, represent it to me for correction. The American agents in London, Quebec, Halifax, &c. have certainly the best opportunities of knowing in what manner the prisoners under their care have been treated; I still have not been informed, that any of them have made complaints.

In your Gazette of Saturday, you published a statement under oath, made by Mr. Abraham Walter, in which he deposes—"That all that was allowed to American prisoners, on board the prison ship, was daily one pound of old wormy bread, which the inhabitants declared had been twice to the West Indies, and condemned for spoiled bread, and one half pound of exceeding bad meat, which in almost any other situation, would be absolutely not eatable; no liquors, no soap, no candles, and none of the other comforts of life; and that it was the opinion of all the prisoners, that many of them had actually starved to death, not being able to eat the provisions."

It can be proved that the American prisoners in Quebec, and in the other British colonies, invariably receive the same quality of provisions, issued to his majesty's army or navy. This it is supposed ought to satisfy any reasonable person. If the quality of the bread and meat, and the quantity of the latter were such as Mr. Walter represents, col. Gardner, the American agent at Quebec, ought to have remonstrated, and if not remedied, to have reported the facts to his government. By the 7th article of the cartel of the 12th of May, 1813, between Great Britain and the United States, it is agreed, "that the prisoners are to be furnished by the government in whose possession they may be, with a subsistence of sound and wholesome provisions, consisting of one pound of beef, or twelve ounces of pork, one pound of wheaten bread, a quarter of a pint of peas, or six ounces of rice, or a pound of potatoes per day to each man." Under this article the British government are bound to supply sound and wholesome food, and a pound of beef, or twelve ounces of pork per day to each prisoner. If this is not done, blame, in some degree, attaches to the British officer who has the care of the prisoners; but the greater proportion of it must rest on col. Gardner, whose duty it is to see that justice is done to the prisoners. I have not the honor of a personal acquaintance with this gentleman; he has however, been represented to me as a most respectable character and peculiarly qualified for the duties of his office. It is impossible, therefore, to suppose he could be capable of such gross neglect.

With respect to the information Mr. Walter deposes he received from the inhabitants, the bread delivered the prisoners had been twice to the West Indies, and condemned for spoiled bread, every person acquainted with the regulations of the British navy must know that such circumstance is impossible. When provisions are unfit for use, a survey is held on them. They are condemned—the casks or bags which contain them are broken or cut to pieces, and the provision cast into the sea or river. The senior officer in port and commissioner, or if at sea, the commander and master of the ship of war, are obliged to certify the fact, that such provisions were destroyed in their presence. Dr. James Wood, of whom mention is made in the deposition of Mr. Walter, was, on the 13th November, on parole at Beaufort, in Canada, and no intention expressed of committing him to prison.

THOMAS BARCLAY.

*Harlæm, 13th December*, 1813.

THIRD VICTORY OVER THE CREEKS.

*Copy of a letter from major-general Cocke, to the secretary of war, dated*

Head Quarters, Fort Armstrong, Nov. 29th, 1813.

SIR—I have the honor to enclose you a copy of brigadier-general James White's detailed report of his excursion to the Hillibee Towns.

I am, with sentiments of esteem, your most obedient servant,

JOHN COCKE, Major-general.

Fort Armstrong, Nov. 24th, 1813.

*Dear General*—In mine of the 19th instant by major Outlaw, I promised you a detailed report, respecting the detachment ordered by you to the Hillibee Towns, in the Creek nation. In compliance with that promise, I have now the honor to state—That under your order of the 11th inst. I immediately marched with the mounted infantry, under the immediate command of colonel Burch. The cavalry under the command of major Porter, and a few of the Cherokee Indians under the command of colonel Morgan, with very short rations for four days only. We continued our march to Little Oakfuskie, when we fell in with and captured five hostile Creek warriors, supposed to be spies. Finding no other Indians at that place, we burned the town, which consisted of 30 houses. We then proceeded to a town, called Genalga, and burned the same, consisting of 93 houses; thence we proceeded to Nitty Chaptoa,

consisting of about 25 houses, which I considered it most prudent not to destroy, as it might possibly be of use at some future period. From thence we marched to the Hillibee town, consisting of about 20 houses, adjoining which was Grayson's farm.—Previous to our arrival at that place, I was advised that a part of the hostile Creeks was assembled there. Having marched within six or seven miles of it on the 17th, I dismounted a part of the force under my command, and sent them under the command of colonel Burch, with the Cherokees under the command of colonel Morgan, in advance, to surround the town in the night, and make the attack at daylight on the 18th. Owing to the darkness of the night, the town was not reached until after daylight—but so complete was the surprise, that we succeeded in surrounding the town, and killing and capturing almost (if not entirely) the whole of the hostile Creeks assembled there, consisting of about 316, of which number about 60 warriors were killed on the spot, and the remainder made prisoners. Before the close of the engagement, my whole force was up and ready for action, had it become necessary; but owing to the want of knowledge on the part of the Indians of our approach, they were entirely killed and taken before they could prepare for any effectual defence. We lost not one drop of blood in accomplishing this enterprize. We destroyed this village; and, in obedience to your orders, commenced our march for this post, which we were unable to reach until yesterday. I estimate the distance from this to Grayson's farm, at about 100 miles. The ground over which we travelled, is so rough and hilly as to render a passage very difficult. Many defiles it was impossible to pass in safety, without the greatest precaution. For a part of the time, the weather was so very wet, being encumbered with prisoners, and the troops, and their horses having to subsist in a very great degree upon such supplies as we could procure in the nation, rendered our march more tardy than it otherwise would have been.

The troops under my command have visited the heart of that section of the Creek nation where the Red Sticks were first distributed.

In justice to this gallant band, I am proud to state, that the whole of the officers and men under the command of colonel Burch performed their duty cheerfully and without complaint—that from the cool, orderly and prompt manner in which major Porter and the cavalry under his command, formed and conducted themselves in every case of alarm, I had the highest confidence in them. Colonel Morgan and the Cherokees under his command, gave undeniable evidence that they merit the employ of their government. In short, sir, the whole detachment under my command, conducted in such a manner as to enable me to assure you that they are capable of performing any thing to which the same number of men are equal.

It gives me pleasure to add, that Mr. M'Corry, who acted as my aid in this expedition, rendered services that to me were indispensable, to his country very useful, and to himself highly honorable.

I have the honor to be, most respectfully, your obedient servant,

JAMES WHITE, Brig. Gen.

*Major-general John Cocke.*

*Copy of a letter from colonel R. J. Meigs to the secretary of war, dated*

Highwasse Garrison, 28th Nov. 1813.

Sir—I received a letter last evening from major general Cocke, commanding one of the divisions of the Tennessee volunteers acting against the hostile Creeks, a copy of which I do myself the honor to transmit to you. The repeated defeats of these barbarous allies of Britain has opened their eyes;—though late, they are already convinced that friendship with the British is the direct road to ruin, and their resentment will probably recoil on their seducers.

RETURN J. MEIGS.

*The honorable the Secretary of War.*

*Head-Quarters, Fort Armstrong, November 22d, 1813.*

Sir—On the 11th instant I detached general White with the mounted men and such of the cavalry as had horses fit for duty, accompanied by a few Cherokees, headed by colonel Gideon Morgan, to the Hillebee towns, with a hope that he would fall in with and punish the hostile Creeks in that quarter. On his march he killed three warriors and took six prisoners, supposed to be spies. On the 18th, the general reached Graysons, one of the Hillebee towns, one hundred miles from this place, where he found a party of hostile Creeks. They were attacked and defeated. He killed at that place sixty-one warriors and took two hundred and fifty prisoners, a part of whom are warriors, the residue women and children, without any loss on our part, either killed or wounded. My aid, major Outlaw, who was with the general, arrived yesterday morning, with a report from him. The general speaks in the highest terms of the officers and men under his command, and adds, that the Cherokees behaved in the best manner. I expect the arrival of the detachment tomorrow. I have the honor to be, &c.

JOHN COCKE.

Colonel Meigs.

FOURTH VICTORY OVER THE CREEKS.

*Milledgeville, (Geo.) December 8.*

The massacre at Tensaw is avenged!—and hundreds of savages have fallen for the murder of our citizens in Morgan county. Captain Barton arrived here express from our army with despatches for general Pinckney, giving the official details of a brilliant victory over the Indians.

[OFFICIAL.]

*Head-Quarters, sixth and seventh districts, Milledgeville, 7th December, 1813.*

Sir—I have the honor of enclosing to you a copy of the official account which I have just received from brigadier-general Floyd, of an attack made by him on the hostile Indians, and sincerely congratulate your excellency on the good conduct and bravery displayed on this occasion by the officers and troops of the state in which you preside.

I have the honor to be, very respectfully, your excellency's most obedient servant,

THOMAS PINCKNEY.

His excellency Peter Early.

*Camp, west of Catahouchie, Dec. 4. 1813.*

Major-General Pinckney,

Sir—I have the honor to communicate to your excellency, an account of an action fought the 29th ult. on the Talapoosie river, between part of the force under my command and a large body of the Creek Indians.

Having received information that numbers of the hostile Indians were assembled at Autossee, a town on the southern bank of the Talapoosie, about eighteen miles from the Hickory ground, and twenty above the junction of that river with the Coosa, I proceeded to it with 950 of the Georgia militia, accompanied by between 3 and 400 friendly Indians. Having encamped within nine or ten miles of the point of destination the preceding evening, we resumed the march a few minutes before 1 on the the morning of the 29th, and at half past 6, were formed for action in front of the town.

Booth's battalion composed the right column, and marched from its centre. Watson's battalion com-

posed the left, and marched from its right; Adams' rifle company, and Merriwether's under lieut. Hendon, were on the flanks; captain Thomas' artillery, marched in front of the right column in the road.

It was my intention to have completely surrounded the enemy, by *appuying* the right wing of my force on Canlehee creek, at the mouth of which I was informed the town stood; and resting the left on the river bank below the town; but to our surprise, as day dawned we perceived a second town, about five hundred yards below that which we had first viewed, and were preparing to attack. The plan was immediately changed—three companies of infantry on the left were wheeled to the left into *echellon*, and were advanced to the low town, accompanied by Meriwether's rifle company, and two troops of light dragoons under the command of captains Irwin and Steele.

The residue of the force approached the upper town, and the battle soon became general. The Indians presented themselves at every point, and fought with the desperate bravery of real fanatics.—The well directed fire, however, of the artillery, added to the charge of the bayonet, soon forced them to take refuge in the out houses, thickets and copses in the rear of the town; many it is believed concealed themselves in caves, previously formed for the purpose of secure retreat, in the high bluff of the river, which was thickly covered with reed and brush-wood. The Indians of the friendly party who accompanied us on the expedition, were divided into four companies and placed under the command of leaders of their own selection. They were by engagement entered into the day previous, to have crossed the river above the town and been posted on the opposite shore during the action, for the purpose of firing upon such of the enemy as might attempt to escape, or keep in check any reinforcements which might probably be thrown in from the neighboring towns, but owing to the difficulty of the ford, and coldness of the weather, and the lateness of the hour, this arrangement failed, and their leaders were directed to cross Canleebee creek and occupy that flank, to prevent escapes from the Tallisee town. Some time after the action commenced our red friends thronged in disorder in the rear of our lines. The Cowetaws, under M'Intosh, and the Tookabatchians under Mad Dog's Son, fell in our flanks, and fought with an intrepidity worthy of any troops.

At 9 o'clock the enemy was completely driven from the plain, and the houses of both towns wrapped in flames. As we were then 60 miles from any depot of provisions, and our five days rations pretty much reduced, in the heart of the enemy's country, which in a few moments could have poured from its numerous towns hosts of the fiercest warriors. As soon as the dead and wounded were disposed of, I ordered the place to be abandoned, and the troops to commence their march to Chatahouche.

It is difficult to determine the strength of the enemy, but from the information of some of the chiefs, which it is said can be relied on, there were assembled at Autosse, warriors from eight towns for its defence, it being their beloved ground, on which they proclaimed no white man could approach without inevitable destruction. It is difficult to give a precise account of the loss of the enemy; but from the number which were lying scattered over the field together with those destroyed in the towns, and the many slain on the banks of the river, which respectable officers affirm they saw lying in heaps at the water's edge where they had been precipitated by their surviving friends, their loss in killed independent of their wounded, must have been at least, 200. (among whom are the Autosse and Tallissee kings) and from the circumstance of their making no efforts to molest our return, probably greater.—The number of buildings burnt, some of a superior order for the dwelling of savages, and filled with valuable articles, is supposed to be 400.

Adjutant-general Newman rendered important services during the action, by his cool and deliberate courage. My aid, major Crawford, discharged with promptitude the duties of a brave and meritorious officer. Major Pace, who acted as field-aid also distinguished himself; both these gentlemen had their horses shot under them, and the latter lost his. Dr. Williamson, hospital surgeon, and Dr. Clopton were prompt and attentive in discharge of their duty towards the wounded during the action.

Major Freeman at the head of Irwin's troop of cavalry and part of Steele's made a furious and successful charge upon a body of Indians, sabred several and completely defeated them—captain Thomas and his company, captain Adams, and lieutenant Hendon's rifle companies killed a great many Indians, and deserve particular praise. Captain Barton's company were in the hottest of the battle, and fought like soldiers. Captain Myrick, captain Little, captain King, captain Broadnax, captain Cleveland, captain Joseph T. Cunningham and captain Lee with their companies distinguished themselves.—Brigade-major Shackleford was of great service in bringing the troops into action, and adjutant Broadnax and major Montgomery, who acted as assistant adjutant, shewed great activity and courage.—Major Booth used his best endeavors in bringing his battalion to action, and major Watson's battalion acted with considerable spirit.—Irwin's, Patterson's and Steele's troops of cavalry, whenever an opportunity presented, charged with success. Lieutenant Strong had his horse shot and narrowly escaped, and quarter-master Tennal displayed the greatest heroism, and miraculously escaped, though badly wounded, after having his horse shot from under him. The topographical engineer was vigilant in his endeavors to render service.

The troops deserve the highest praise for their fortitude in enduring hunger, cold and fatigue without a murmur, having marched a hundred and twenty miles in seven days.

The friendly Indians lost several killed and wounded, the number not exactly known. Captain Barton, an active and intelligent officer (the bearer of these despatches) can more particular explain to your excellency the conduct, movements and operations of the army.

I have the honor to be with high regard, your most obedient servant, JOHN FLOYD, B. G.

A list of the killed and wounded in the action on the 29th Nov. 1813, as furnished by C. Williamson, hospital surgeon.

Brigadier-general John Floyd, wounded severely, adjutant-general Newman, slightly.

[Here follows a list of the names of the killed and wounded, in all 11 killed and 54 wounded.

CHAUNCEY AND YEO.—The following very interesting letter attributed to captain *Sinclair*, of the *General Pike*, will be read with pleasure—

*Extract of a letter to a gentleman in Richmond from an officer in the navy, dated,*

"SACKETT'S HARBOR, Nov. 27.

"Your interesting and friendly letter which you have been promising, has at last arrived, and the pleasure I derived from it prompted an answer long since; but absence from port has prevented my doing so, and now I have arrived, my *ideas are so congealed* with the ice, snow storms, &c. which we have experienced, that I know not whether I can *thaw* them sufficiently to aid me in a letter, with the uninte-

resting matter out of which I have to compose it.—The movements of the military and naval forces on the frontier, will compose the substance of my letter, and as *you* are a true friend to the cause in which we are engaged, such a topic may not be uninteresting."

[Here the writer gives an account of some transactions relative to the plan of the campaign; and after stating that commodore Chauncey with his squadron escorted general Wilkinson with his army some distance down the St. Lawrence, in doing which the two large ships, the General Pike and the Madison, accidently went on shore in the face of the enemy, but were got off without injury, the letter proceeds.]

"You know enough of the geography of this country, to be informed that the confluence of the St. Lawrence with this lake is formed into two channels, by an island 20 miles long, in its centre—the northern leading by Kingston and bearing its name. The lower end of this island, where their channel came into ours, was the point to be guarded, and here we anchored—Sir James was soon in sight, on his way down, but was compelled to abandon his enterprize by meeting us—He lay so near round the point of the island, that the bells of the ships could be heard, and our guard boats in the passage were firing on each other during the night—our pilots could not venture to take the General Pike through, as there was only six inches more than she drew, and the passage a difficult one. However the wind came fair to attempt it, and we had all our boats sounding ahead, when his knightship thought it best to be off and made a precipitate retreat to Kingston—We lay here a week, in order to ensure time to our army to get beyond his reach, although we confidently believed that he would come into our channel and garrison one of the strongest and regular built forts in our country, which stands on Carlton island, the Gibraltar of this passage, and by mooring his fleet under this battery, we could not have passed out this way, and must either have wintered here or run the gauntlet by Kingston batteries. This he had not the enterprize to attempt; and we returned in perfect safety to this place about the 12th inst. with an intention of laying up for the winter, which had then set in very severely—Here the commodore found a letter from the secretary as war, pointing out the exposed situation of our fleet at this place, from Kingston being left unconquered, and wishing us to transport Harrison's army from the head of the lake.

"We fortunately had a fair wind, sailed immediately, and embarked the troops the third day after; but a most tremendous snow storm from the eastward came on, lasted three days, separated our fleet, and had it lasted 24 hours longer, most of our vessels must have perished with their crews—or had the enemy come out immediately afterwards, he must have taken us in detail—Some lost masts—some sails, and one her rudder—Many had men washed overboard, and some rode out the gale and anchored upon an enemy's lee shore, *their fate hanging upon a rope yarn.* I met no accident whatever, but suffered much from wet, cold and fatigue. I very unexpectedly found general Harrison from my neighborhood, and a plain, honest Virginian he is—He knew all my friends, and those of my wife—I made him and his aids very comfortable, as much so as the weather would admit—I gave him my bed, which he never quitted during the gale—they were all horribly sea-sick. I arrived here first in the general Pike, and they are all now in, except one, and she we hear is on shore in Niagara river, where she anchored for shelter and parted her cables, and went on shore—only two lives lost on board her.—Every day will demonstrate more clearly to the nation, the evils arising from our army's leaving Kingston in its rear—they have there the hulls of two ships nearly finished—one larger than the President, to mount two tier of guns, 64 in number—long 32's and 18's—the other the size of the General Pike, and the frame of a third one, the size of the latter, all ready to lay down. All these, and their force on float, would have been destroyed. Their arsenal and grand depot, amounting to millions, would have been destroyed; an army captured which are now in Wilkinson's rear, and holding this place in check—and the vast and useless expence of building here a naval force, would have been saved—The army would have been in comfortable winter quarters, by which their healths would have been ensured for active enterprize in the spring.

"The Lady of the Lake, (a flag sent to Kingston) has just returned. The enemy have laid their ships up long since—they have never been out since the whaleing we gave them on the 28th Sept. which we find to have been much more serious than we then expected. Sir James was dangerously wounded by a splinter carrying off the flesh from one side of his thigh, and cannot yet walk, except a little on his crutches. He acknowledges to have been beaten by us in each rencounter, and thinks himself lucky that we could not follow the last victory up. He says the fighting was done; and that he had given orders to his men to escape from their vessels as soon as they grounded, and that their trains were all ready laid, for blowing them up. His ships were literally torn to pieces, and a number of officers and men killed and wounded. He acknowledges that the General Pike did the work."

Another account of the battle of the 28th—says, the fighting was over, and it was only necessary for commodore Chauncey to take possession, to have completed his victory; but in this he was disappointed by a sudden gale of wind, which drove the enemy's fleet to the head of the lake, under the protection of their batteries. Commodore Chauncey might still have destroyed their fleet; but our fleet must, in turn have inevitably been lost also, and the grand object of the government, the command of the lake, frustrated.

Chauncey might have covered himself with the same imperishable glory, that did Perry; but then, he would have unfortunately abandoned the all important object for which he was contending, and which, by his masterly conduct on that day, was completely and effectually secured to us.

[FROM THE MONTREAL COURANT.]

*British official notice of the defeat of their fleet on lake Erie and of gen. Proctor.*

GENERAL ORDERS—*Head-quarters, Montreal, Nov. 24.*

His excellency the commander of the forces has received an official report from major-general Proctor of the affair which took place on the 5th October near the Moravian village, and he has in vain sought in it, for grounds to palliate the report made to his excellency by staff adjutant Reiffenstein, upon which the general order of the 18th October was founded—on the contrary, that statement remains unconfirmed in all the principal events which marked that disgraceful day; the precipitancy with which the staff adjutant retreated from the field of action, prevented his ascertaining the loss sustained by the division on that occasion; it also led him most grossly to exaggerate the enemy's force, and to misrepresent the conduct of the Indian warriors, who instead of retreating towards Machedash, as he had stated, gallantly maintained the conflict, under their brave chief, Tecumseh, and in their turn harrassed the American army on its retreat to Detroit.

The subjoined return states the loss the right division has sustained in the action of the fleet on lake Erie on the 10th of September, and in the affair of the 5th October near the Moravian village, in the latter but very few appeared to have been rescued by an honorable death from the ignominy of passing under the American yoke, nor are there many, whose wounds plead in mitigation of this reproach. The right division appears to have been incumbered with an unmanageable load of unnecessary, and forbidden private baggage—while the requisite arrangements for the expeditious and certain conveyance of the ammunition and provisions, the sole objects worthy of consideration, appear to have been totally neglected, as well as all those ordinary measures, resorted to by officers of intelligence, to retard, and impede the advance of a pursuing enemy. The result affords but too fatal a proof of this unjustifiable neglect. The right division had quitted Sandwich on its retreat on the 26th of September, having had ample time for every previous arrangement; on the 2d October following, the enemy pursued by the same route, and on the 4th succeeded in capturing all the stores of the division, and on the following day attacked and defeated it almost without a struggle.

With heartfelt pride and satisfaction the commander of the forces had lavished on the right division of the army, that tribute of praise which was so justly due to its former gallantry, and steady discipline. It is with poignant grief and mortification that he now beholds its well earned laurels tarnished, and its conduct calling loudly for reproach and censure.

The commander of the forces appeals to the genuine feelings of the British soldier from whom he neither conceals the extent of the loss the army has suffered, nor the far more to be lamented injury it has sustained in its wounded honor, confident that but one sentiment will animate every breast, and that zealous to wash out the stain, which by a most extraordinary and unaccountable infatuation, has fallen on a formerly deserving portion of the army, all will vie to emulate the glorious achievments recently performed, by a small but highly spirited, and well disciplined division, led by officers possessed of enterprize, intelligence and gallantry, nobly evincing what British soldiers can perform, when susceptible of no fear, but that of failing in the discharge of their duty.

His excellency considers it an act of justice to exonerate most honorably from this censure the brave soldiers of the right division who were serving as marines on board the squadron on lake Erie. The commander of the forces having received the official report of captain Barclay, of the action which took place on lake Erie, on the 10th September, when that gallant officer, from circumstances of imperious necessity, was compelled to seek the superior force of the enemy, and to maintain an arduous and long contested action, under circumstances of accumulating ill fortune.

Captain Barclay represents that the wind, which was favorable early in the day, suddenly changed, giving the enemy the weather guage, and that this important advantage was shortly after the commencement of the engagement, heightened by the fall of captain Finnis, the commander of the Queen Charlotte—in the death of that intrepid and intelligent officer, captain Barclay laments the loss of his main support. The fall of captain Finnis was soon followed by that of lieutenant Stokoe, whose country was deprived of his services at this very critical period, leaving the command of the Queen Charlotte to provincial lieutenant Irvine, who conducted himself with great courage, but was too limited in experience, to supply the place of such an officer as captain Finnis;—and in consequence this vessel proved of far less assistance than might be expected.

The action commenced about a quarter before 12 o'clock, and continued with great fury until half past two, when the American commodore quitted his ship, which struck shortly after, to that commanded by captain Barclay, (the Detroit)—hitherto the determined valour displayed by the British squadron, had surmounted every disadvantage, and the day was in our favor; but the contest had arrived at that period when valor alone was unavailing—the Detroit and Queen Charlotte were perfect wrecks, and required the utmost skill of seamanship, while the commanders and second officers, of every vessel were either killed or wounded, not more than fifty British seamen were dispersed in the crews of the squadron, and of these a great proportion had fallen in the conflict.

The American commodore made a gallant but too successful effort to regain the day. His second largest vessel, the Niagara, had suffered little, and his numerous gun boats, which had proved the greatest annoyance during the action, were all uninjured.

Lieutenant Garland, first lieutenant of the Detroit, being mortally wounded previous to the wounds of captain Barclay obliging him to quit the deck, it fell to the lot of lieutenant Inglis, to whose intrepidity and conduct the highest praise is given, to surrender his majesty's ship, when all further resistance had become unavailing.

The enemy, by having the weather-guage, were enabled to choose their distance, and thereby availed themselves of the great advantage they derived in superiority of heavy long guns; but captain Barclay attributes the fatal result of the day, to the unprecedented fall of every commander and second in command, and the very small number of able seamen left in the squadron, at a moment when the judgment of the officer, and skilful exertions of the sailor, were most eminently called for.

To the British seamen, captain Barclay bestows the highest praise—that they behaved like British seamen. From the officers and soldiers of the regular forces serving as marines, captain Barclay experienced every support within their power, and states that their conduct has excited his warmest thanks and admiration.

Deprived of the palm of victory, when almost within his grasp, by an overwhelming force which the enemy possessed in reserve, aided by an accumulation of unfortunate circumstances, captain Barclay and his brave crew have by their gallant daring and self-devotion to their country's cause, rescued its honor and their own, even in defeat.

E. BAYNES, Adj. Gen.

*Return of the right division of the army of Upper Canada.*

Detachment serving as marines on board the squadron, in the action on the 10th September, 1813.

*Killed,* 1 lieutenant, 1 serjeant, 21 rank and file.

*Wounded,* 3 serjeants, 46 rank and file.

*Prisoners,* 2 lieutenants, 1 assistant surgeon, 4 serjeants, 4 drummers, 167 rank and file.

Killed, wounded and missing, in the retreat and in the action on the 5th of October, 1813.

1 Inspector field officer, 1 deputy-assistant, M. general, 1 fort adjutant, 1 hospital mate, 1 lieutenant-colonel, 6 captains, 12 lieutenants, 3 cornets or ensigns, 1 paymaster, 1 assistant surgeon, 34 serjeants, 13 drummers, 559 rank rank and file, horses.

*Assembled at Ancaster on the 17th October,* 1813

1 major general, 1 major of brigade, 1 aid-

camp, 1 staff adjutant, 3 captains, 5 lieutenants, 2 cornets or ensigns, 1 adjutant, 1 quarter-master, 2 assistant surgeons, 15 serjeants, 9 drummers, 294 rank and file, 53 horses.

*Total strength of the right division on the 10th Sept.*

1 major-general, 1 insp. field officer, 1 major of brigade, 1 deputy quarter-master-general, 1 aid-de-camp, 1 staff adjutant, 1 fort adjutant, 1 hospital mate, 1 lieut. col. 9 captains, 23 lieuts. 5 cornets or ensigns, 1 paymaster, 1 adjutant, 1 quarter-master, 4 assistant surgeons, 57 serjeants, 26 drummers, 944 rank and file, 99 horses.

*Killed*—Lieut. Gordon, Royal Newfoundland regiment.

General *M'Clure*, who left Fort George on the 26th ultimo, to attack the enemy on Burlington Heights, has returned. He marched about twenty miles; when finding all the bridges destroyed he could not proceed, and so abandoned the expedition.

The "Richmond Volunteers" are expected to return home. As their time will expire before the period arrives when operations against *Canada* may be expected to recommence, it is said they will be discharged, themselves consenting. They are now at Malone, N. Y.

## NAVAL.

The *Congress* frigate, captain *Smith*, has arrived at Portsmouth, N. H. from a cruise which commenced on the 30th April last, all which time, a few days for watering excepted, she was at sea—yet strange to say, captured only five or six British vessels, which were all that captain Smith saw after he parted with the *President!* The main is not "bridged" by British frigates, nor is the "sea covered" with their vessels of war. We are sorry that the exertions of this gallant officer to "earn a name" have not met that *opportunity* he so assiduously sought—for he deserves it. His official letter, as published, shall be inserted. The Congress cruised off *Halifax* several days, and made one capture near that port. The vessel and crew are in fine condition.

The President frigate has recaptured and sent into Nantucket, the letter of marque schooner Comet, of New-York, from Charleston.

*Copy of a letter from commodore Macdonough, commanding our naval force on lake Champlain, to the secretary of the navy, dated*

United States sloop President,
Near Champlain, Dec. 5, 1813.

SIR—I have the honor to inform you the enemy made his appearance on this lake yesterday with six heavy gallies, manned apparently with upwards of 400 men, following close after our look-out boat which was bringing the intelligence. He set fire to a small shed which had been in public use, the smoke of which gave the first intimation of his approach. It being calm we instantly weighed and swept in pursuit of him; our gallies four in number, under lieut. Cassin, were directed to bring him if possible to action, and thereby enable the sloops to get up. The chase continued three hours; I was much surprised to see him refuse battle; his superior number of sweeps prevented it. It is presumed the enemy expected we had gone into winter quarters, and that Plattsburg was the object of his visit.

I have the honor to be, most respectfully, sir, your most obd't serv't. T. MACDONOUGH.

Honorable WILLIAM JONES,
*Secretary of the navy, Washington.*

# Proceedings of Congress.

The business before congress, except so far as it related to the important act inserted in the preceding pages, has not yet assumed much importance. The usual brief notice of proceedings, for the last week shall be noticed in our next number.

The following are the secret proceedings of the house of representatives on the act laying an embargo.

## SECRET PROCEEDINGS.

HOUSE OF REPRESENTATIVES.

*Thursday Dec. 9.*—The following message was received from the president of the United States, which was read and referred to the committee of foreign relations.

*To the Senate and House of Representatives of the United States.*

The tendency of our commercial and navigation laws, in their present state, to favor the enemy and thereby prolong the war, is more and more developed by experience.

Supplies of the most essential kind, find their way, not only to British ports and British armies at a distance; but the armies in our neighborhood, with which our own are contending, derive from our ports and outlets a subsistence attainable with difficulty, if at all, from other sources. Even the fleets and troops infesting our coasts and waters, are by like supplies accommodated and encouraged in their predatory and incursive warfare.

Abuses having a like tendency take place in our import trade. British fabrics and products find their way into our ports under the name and from the ports of other countries; and often in British vessels disguised as neutrals by false colors and papers.

To these abuses it may be added that illegal importations are openly made with advantage to the violators of the law, produced by under valuations or other circumstances involved in the course of the judicial proceedings against them.

It is found also that the practice of ransoming, is a cover for collusive captures and a channel for intelligence advantageous to the enemy.

To remedy as much as possible these evils I recommend:

That an effectual embargo on exports be immediately enacted.

That all articles known to be derived either not at all, or in an immaterial degree only, from the productions of any other country than Great Britain, and particularly the extensive articles made of wool and cotton materials, and ardent spirits made from the cane, be expressly and absolutely prohibited, from whatever port or place or in whatever vessels the same may be brought into the United States; and and that all violations of the non-importation act be subjected to adequate penalties.

That among the proofs of the neutral and national character of foreign vessels, it be required that the masters and supercargoes and three fourths at least of the crews, be citizens or subjects of the country under whose flag the vessels sail.

That all persons concerned in collusive captures by the enemy; or in ransoming vessels or their cargoes from the enemy, be subjected to adequate penalties.

To shorten as much as possible the duration of the war, it is indispensable that the enemy should feel all the pressure that can be given to it; and the restraints having that tendency, will be borne with the greater cheerfulness by all good citizens; as the restraints will affect those most who are most ready to sacrifice the interest of their country in pursuit of their own. JAMES MADISON.

*December*, 9, 1813.

*Friday, Dec.* 10.—Mr. Grundy from the committee on foreign relations, reported a bill laying an embargo on all ships and vessels in the ports or harbors

of the United States, which was read and committed to a committee of the whole house to-day.

Mr. Post moved that it be printed—negatived by yeas and nays—yeas 52—nays 82.

The house then went into a committee of the whole on the said bill—Mr. *Nelson* in the chair—and after some time spent therein, the committee rose, reported progress, and had leave to sit again.

*Saturday, Dec.* 11.—The order of the day on the bill to lay an embargo being called for,

Mr. Oakley moved that it be postponed until Monday next. Negatived by yeas and nays.—Yeas 45—nays 70.

The house then again went into committee of the whole house, Mr. Nelson in the chair, on the said bill, and after some time spent therein, the committee rose and reported amendments which were read and concurred in by the house.

Mr. Gaston moved to strike out the fourth section and to insert the following as section 4.

"That the collectors of the customs be and they are hereby authorised and required to grant a general permission to vessels or boats whose employment has uniformly been confined to the navigation of bays, sounds, rivers or lakes within the jurisdiction of the United States, to take on board at any time any articles of domestic or foreign growth, bound with one or more sureties being previously given to to the United States by the owner or owners, consignees or factors of such vessels or boats, in an amount equal to one hundred dollars for each ton of said vessel, that such vessel shall not during the continuance of this act depart from any district of the United States without having previously obtained a clearance, nor until the master or commander shall have delivered to the collector or surveyor of the port of departure a manifest of the whole cargo on board, and that such vessel shall not during the continuance of this act be in any manner engaged in a violation of this act."

Negatived—Yeas 51—Nays 80.

Mr. Stockton moved to strike out the first section of the bill, which was negatived by—Yeas 52—Nays 83.

Mr. Grosvenor moved to amend the bill by striking out the words contained in the thirteenth section, "such instructions as the president may give, and such rules as he may prescribe for that purpose, made in pursuance of the powers aforesaid, which instructions and rules the collectors shall be bound to obey," and in lieu thereof to insert "*the laws of the United States.*"

Negatived—Yeas 56—Nays 80.

Mr. Pitkin moved to amend the bill by striking out the words contained in the twelfth section, "or when in vessels, carts, waggons, sleighs, or any other carriage, or in any manner apparently on their way towards the territories of a foreign nation, or the vicinity thereof, or towards a place where such articles are intended to be exported."

Negatived—Yeas 50—Nays 83.

Mr. *Stockton* moved to amend the bill by adding to the end of the 12th section the following proviso:

"*Provided*, That no part of the land or naval forces, or militia of the United States or of the territories thereof, shall be employed by any person to enforce any of the provisions of this act, unless a previous certificate shall be given by two magistrates of the state where such provision is to be enforced, that the civil authorities were incompetent to enforce the same, and that it is necessary to employ the military or naval force."

Negatived, yeas 51—nays 77.

Mr. *Hanson* moved to add to the 13th section the following proviso:

"*Provided always*, That nothing in this section contained shall be construed to impart powers to the president infringing or impairing in their execution the constitutional rights and liberties of the citizen."

Negatived, yeas 43—nays 82.

Several other motions were made to amend the provisions of the bill, all which being rejected,

It was ordered to be engrossed for a third reading to-day.

Mr. *Oakley* moved the following resolutions:

*Resolved*, That the president of the United States be requested to cause to be laid before the house, the evidence in the possession of the executive, that supplies of the most essential kinds find their way from the ports of the United States to the fleets and armies of the enemy.

*Resolved*, That the president be also requested to cause to be laid before this house, the evidence in the possession of the executive, that the practice of ransoming is made a cover for collusive captures by the enemy.

The question was taken to consider these resolutions, and negatived by yeas 54, nays 74.

The bill laying an embargo, &c. being produced in an engrossed form, was read the third time and passed, by yeas and nays, as follow:

YEAS—Messrs. Alexander, Alston, Anderson, Archer, Avery, Bard, Barnett, Beall, Bowen, Bradley, Brown, Burwell, Butler, Caldwell, Calhoun, Chappell, Clopton, Comstock, Condit, Conrad, Crawford, Creighton, Crouch, Dawson, Denoyelles, Desha, Eppes, Farrow, Findley, Fisk, of Ver. Fisk, of N. Y. Forney, Franklin, Gholson, Glasgow, Goodwyn, Gourdin, Griffin, Grundy, Hall, Harris, Hubbard, Humphreys, Ingham, Irwin, Kennedy, Kent, of Md. Kerr, Kershaw, King of N. C. Lefferts, Lyle, Mason, M'Coy, M'Kim, M'Lean, Moore, Murfree, Nelson, Newton, Ormsby, Parker, Pickens, Piper, Rea, of Pen. Rhea, of Ten. Rich, Roberts, Robinson, Sage, Sevier, Seybert, Sharp, Skinner, Smith, of Penn. Strong, Tannehill, Taylor, Troup, Udree, Ward, of N. J. Whitehill, Wilson, of Penn. Wright, Vancey—85.

NAYS—Messrs. Baylies, of Mass. Bigelow, Boyd, Brigham, Caperton, Champion, Cilley, *Cheves*, Cooper, Cox, Culpepper, Davenport, Dewey, Duvall, Ely, Gaston, Geddes, Grosvenor, Hanson, *Hufty*, *Hungerford*, Jackson, of R. I. Kent, of N. Y. King, of Mass. Law, Lewis, Lovett, *Lowndes*, *M'Kee*, Miller, Moffit, *Montgomery*, Mosely, Markell, Oakley, Pearson, Pickering, Post, John Reed, *Ruggles*, Shureman, Schefley, Shipherd, Smith, of N. Y. *Stanford*, Stockton, Stuart, Sturges, Taggart, Tallmadge, Thompson, Vose, Wheaton, White, Wilcox, Winter—57.

Mr. *Grundy* and Mr. *Lewis* were appointed a committee to carry the bill to the senate for concurrence.

*Thursday, Dec.* 16.—Mr. *Grundy* from the committee reported that they did on Monday last, deliver to the senate for concurrence the bill laying an embargo, &c.

## THE CHRONICLE.

☞ The following was the final vote in the senate on the passage of the embargo law—

YEAS—Messrs. Anderson, Bibb of Georgia, Bledsoe, Brent, Campbell, Chase, Gaillard, Giles, Howell, Lacock, Leib, Morrow, Robinson, Smith, Stone, Tait, Taylor, Turner, Varnum, Worthington—20.

NAYS—Messrs. Brown, Dagget, Dana, Fromentin, Germain, Gilman, Goldsborough, Gore, Horsey, Hunter, King, Lambert, Mason, Wells.—14.—[Particulars hereafter.]

☞ The present No. contains much documentary matter of high interest. The regular date of the No. is preserved, though the day of publication is anticipated, to give the workmen the usual relaxation on Christmas day.

THE WEEKLY REGISTER.

No. 18 of vol. V.] BALTIMORE, SATURDAY, January 1, 1814. [whole no. 122.

*Hæc olim meminisse juvabit.*—Virgil.

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# To the people of Virginia.

## NO. II.

*The resolution of the senate, requesting a respectful conference with the president upon the nomination of Mr. Russell and his refusal:*

In the course of the deliberations on the nomination of Mr. Russell, on the 14th of June last, the senate came to the following resolution:

"*Monday, June* 14.—The senate resumed the consideration of the nomination of Jonathan Russell, together with the motion submitted thereon by Mr. Wells, on the 11th inst. and the motion was amended and agreed to as follows:

"*Resolved*, That the nomination of Jonathan Russell, and the motion of Mr. Goldsborough on the subject, together, with the message of the president of the United States of the 7th inst. with the communications therein mentioned, be referred to a committee with instruction respectfully to confer with the president of the United States upon the subject of the said nomination and report thereon.

"*Ordered*, That Mr. Wells, Mr. Giles, and Mr. King be the committee."

I shall purposely overlook all the incidents, which took place *directly* between the president, and the committee thus appointed, from this date, till the 6th of July following, when the message of the president declining the proposed conference, was laid before the senate, because, although those incidents might give rise to some commentaries, which might be captivating to some minds, yet they probably would be of an unpleasant nature, and if even real advantages in the argument might be derived from them, I should cheerfully dispense with, rather than risk the hazard of intentionally wounding the president's feelings. It is my sole object, to place this subject upon its own intrinsic merits; detached from all incidental considerations.——Whether it should ultimately be conceived by the public, that this resolution of the senate was founded on correct principles, or not, I presume every impartial mind must admit, that if such a proceeding could be justified on any occasion, it was on the one, which induced the senate to resort to it.—The extraordinary dilemma, which that body was placed in, being called upon to act upon a general intimation of unexplained considerations, inducing a measure in its opinions, deeply affecting the honor and the interests of the nation, the solicitude naturally felt by it, to act understandingly on the subject, and the sense of the high responsibility attached to every senator in case of acting erroneously thereon, furnished the strongest motives to the senate to request of the president a frank disclosure of his real objects on the occasion, and respectfully to confer with him thereupon. Without entering into an affirmative exposition of the principles, upon which I presume, the senate deemed itself justified in adopting the resolution; I shall proceed respectfully to examine the grounds upon which the president felt himself bound to decline the proposed conference altogether; and the replies to them, will sufficiently elucidate the views, I entertain of the subject.

Here I cannot help expressing a painful regret, that after the most deliberate attention to the reasoning of the president in favor of the position he had taken, I am not able to acknowledge its conviction. It is contained in his message of the 6th of July, commencing in the following words:

"*Tuesday, July* 6.—The following written message was received from the president of the United States, by Mr. Graham.

"*To the senate of the United States.*

"I have received from the committee appointed by the resolution of the senate of the 14th day of June, a copy of that resolution which authorises the committee to confer with the president on the subject of the nomination made by him of a minister plenipotentiary to Sweden.

"Conceiving it to be my duty to decline the proposed conference with the committee, and it being uncertain when it may be convenient to explain to the committee, and through them to the senate, the grounds of my so doing, I think it proper to address the explanation directly to the senate. Without entering into a general review of the relations in which the constitution has placed the several departments of the government to each other, it will suffice to remark, that the executive and senate, in the cases of appointments to office and of treaties, are to be considered independent and co-ordinate with each other. If they agree, the appointments or treaties are made. If the senate disagree they fall. If the senate wish information previous to their final decision, the practice, keeping in view the constitutional relation of the senate and executive, has been either to request the executive to furnish it, or refer the subject to a committee of their body to communicate, either formally or informally, with the head of the proper department. The appointment of a committee of the senate to confer immediately with the executive himself, appears to lose sight of the co-ordinate relation between the executive and the senate, which the constitution has established, and which ought therefore to be maintained."

It is here to be remarked, that the president does not even intimate that there is any express constitutional inhibition; of a respectful conference, between the senate itself, or between a committee acting on the part of the senate, and the executive upon subjects of their concurrent jurisdiction; but infers its impropriety from the consideration, that "the executive, and senate in cases of appointments to office, and treaties, are to be considered independent, and co-ordinate with each other," and after pointing out correctly the usual course of proceeding of the senate on ordinary occasions concludes:

"The appointment of a committee of the senate to confer immediately with the executive himself, appears to lose sight of the co-ordinate relation between the executive and the senate, which the constitution has established, and which ought therefore to be maintained."

It seems to me a sufficient reply to the reasoning of the president, which conducts him to this result, to observe, that the recital of the usual course of proceedings by the senate on ordinary occasions, affords no reason why some other course should not be resorted to, on extraordinary occasions. The truth is, that the course of proceeding in the senate, upon

nominations, is variable, suited to the varying circumstances of the case, and always intended to attain the means necessary and proper, to enable it to act understandingly on each. But the principle, upon which the president's inference finally places his obligation to decline the proposed conference is, that the executive and senate are in certain respects, co-ordinate, and thence substantially draws the inference, that to confer with a committee of the senate would be derogatory to the executive character. It is, as far as I am able to judge, this quality of co-ordination between the two departments, which alone can justify the principle of their freely conferring together. If this quality would not justify such a proceeding, it is admitted nothing can. If, instead of being co-ordinate with, the senate were subordinate to the executive, then there would not only be an obvious impropriety, but perhaps some scrupulous minds, might fancy that there would be some degree of impertinence in asking a conference. A conference, or as it is sometimes called, a free conference, takes place only amongst equals; a different course of proceeding, and phraseology, is applied to subordinates. In the one case, *a respectful conference is requested;* this is the language of one equal to another, both being equally independent of each other. In the other, a *communication is directed.* This is the language of a superior, to a subordinate.

If the executive and senate be co-ordinate, then the request of a respectful conference on the part of the senate, cannot, as it appears to me, offend against the dignity of the executive; nor do I see how it can in the remotest degree, impair any other of its constitutional prerogatives. The president seems not sufficiently to have appreciated the distinction, between a conference, and a call for information, although the distinction seems obvious. The first requires a comparison, and interchange of opinions. The other, a statement of facts. Facts are, or in other words, information is not only often called for, but *directed* by either house of congress, from the heads of departments. But a conference, or in other words, an *interchange* of opinions, from the heads of departments is never requested by either house of congress. If opinions from the heads of departments should be called for, they are deliberated upon by the house calling for them; but no opinions of the house are *interchanged* for them. The president certainly upon his own principle, must have overlooked this distinction, when he permitted his secretary of state to propose in his stead, to confer with a committee of the senate. It certainly did not occur to him, that in the contemplation of the constitution, his secretary was not co-ordinate, *con cordinatus*, together in order, with the senate—but *subordinate, sub-ordinatus*, under in order, or he never could have authorised him to confer with a committee of the senate, which was clothed as I shall presently attempt to shew, *quo ad hoc*, with all the attributes of the senate itself. Nor do I conceive, that the president has been more fortunate in aiding his conclusions, by his illustrations, upon the principle of analogy, with the proceedings of the two houses of congress in relation to their conferences upon disagreeing votes between them. The illustrations are contained in the following extract from his message:

"The relation between the senate and house of representatives, in whom legislative power is concurently vested, is sufficiently analogous to illustrate that between the executive and senate in making appointments and treaties. The two houses are in like manner independent of and co-ordinate with each other; and the invariable practice of each in appointing committees of conference and consultation is to commission them to confer not with the co-ordinate body itself, but with a committee of that body. And although both branches of the legislature may be too numerous to hold conveniently a conference with committees, were they to be appointed by either to confer with the entire body of the other, it may be fairly presumed that if the whole number of either branch were not too large for the purpose, the objection to such a conference, being against the principle as derogatory from the co-ordinate relations of the two houses, would retain all its force."

The reasoning of the president drawn from this alleged analogy, is somewhat remarkable. It commences with an effort, to establish a distinction between a conference conducted on the part of each house through the medium of committees, as he without his usual attention to critical correctness, calls them, and a conference, conducted directly between the two houses in their entire character, and founds this distinction upon the suggestion, that "the invariable practice of each in appointing committees of conference and consultation, is, to commission them to confer not with the co-ordinate body itself, but a committee of that body." I do not know that either branch of congress gives to its conferees, commissions specifying the precise tribunal with which each is to confer; but in fact from a principle of convenience, and reciprocal equality the conferees do confer with each other, but *expressly and practically on the part of their respective houses.* These conferees are not properly and strictly speaking *committees at all,* nor are they so called in the journals of either house, but *managers on the part of the houses respectively.* The want of a critical attention to this distinction may have been the cause of an error on the part of the president on this point, if indeed, it should be conceived, he has unintentionally fallen into one. The object of this arrangement, is, that the *managers on the part of each house,* may make or receive propositions for compromising, or in any way adjusting the disagreeing vote of the two houses, subject in every case to the final control of the entire bodies of the two houses themselves; and the *managers at the conference,* are for these purposes invested with the attributes of the entire houses, and completely so far, identified with them—and so scrupulously attentive, are the two houses composing the general assembly of Virginia to the identification of each, with its *managers at a conference,* that during the sitting of the conferees, to the best of my recollection, all business is suspended by both houses. The due understanding of this point is so important, to the due estimation of the distinction upon which the president founds his refusal of the proposed conference on the part of the senate, that I beg to introduce a full journal of the two houses of congress in a particular case of a conference upon the disagreeing votes of the two houses at the last session. It is as follows:

"*July* 27, 1813.—The senate proceeded to consider the amendments disagreed to by the house of representatives to the bill, entitled 'an act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandize.'

"On motion,

"*Resolved*, That they insist on their amendments and ask a conference on the disagreeing votes of the two houses.

"*Ordered*, That Mr. King, Mr. Worthington and Mr. Giles, *be the managers at the said conference on the part of the senate.*

"*Ordered*, That the secretary notify the house of representatives accordingly.

*July* 28, 1813.—The house proceeded to consider the message from the senate insisting on certain of their amendments disagreed to by this house, to the

bill "laying duties on licenses to retailers of wines, spirituous liquors and foreign merchandize:" whereupon,

"*Resolved*, That this house doth insist on their disagreement to the said amendments, and agree to the *conference requested by the senate* upon the subject matter thereof, and that Mr. Bibb, Mr. Taylor and Mr. Roberts be appointed *managers at the same on the part of this house.*

"They also insist on their disagreement to the amendments of the senate to the bill, entitled "An act laying duties on licenses to retailers of wines, spirituous liquors and foreign merchandize." They agree to the conference proposed on the subject, *and have appointed managers on their part.*

"*July* 29, 1813.—Mr. King, from *the managers on the part of the senate at the conference* on the bill, entitled "An act laying duties on licenses to retailers of wines, spirituous liquors and foreign merchandize," reported certain modifications of the amendments disagreed to.

"Whereupon,

"*Resolved*, That the senate concur in the report of the conferences, and that the bill be amended accordingly.

"*July* 30, 1813.—A message from the house of representatives, by Mr. Magruder, their clerk:

"Mr. President—The *house of representatives agree to the modification of the amendments of the senate*, to the bill, entitled "An act laying duties on licenses to retailers of wines, spirituous liquors and foreign merchandize;" as *reported by the managers at the conference on the said bill.*"

From an attentive perusal of these journals it must appear, that a conference upon a disagreeing vote, is considered to be essentially carried on between the two houses themselves, but conducted through the medium of *managers on the part of each*, merely for the sake of convenience. If then, the senate can transfer all its powers for particular objects to *managers or committees*, the distinction between a conference with the senate itself and its committee acting in its place and stead upon the ground of derogation from executive dignity, appears to me, to be rather fanciful, than solid. It will not escape attention, that whilst the president no where expressly admits, the right of the senate to ask a conference with the executive in a body; yet it is clearly inferable from the principle of analogy between the two houses of congress, which he relies upon as the standard and rule of his conduct; and if that be admitted, it certainly exempts the senate from the uncharitable imputation, thrown against it by certain sapient observers, of a design by this mode of proceeding to trench upon the executive authority. For if that were the object, the whole body of the senate would surely possess a more overawing influence over the president than a committee of the same body. But after the president conceives that he has established the distinction between the senate and its committee, pursuing the analogy of the proceedings between the two houses of congress, he arrives at this conclusion:

"And although both branches of the legislature may be too numerous to hold conveniently a conference with committees, were they to be appointed by either to confer with the entire body of the other, it may be fairly presumed that if the whole number of either branch were not too large for the purpose, the objection to such a conference, being against the principle, as derogatory from the co-ordinate relations of the two houses, would retain all its force."

It must strike every observer, that to enable the president to get at this conclusion, he puts a suppositious case, which could scarcely ever happen in practice: he then makes a presumption from this supposed imaginary case, and then draws his conclusion from some supposed analogy, to that presumption. Even the blind partiality of the president's most devoted friends must admit, that this is rather a theoretical and ingenious mode of reasoning, than a practical and conclusive one. If the senate can transfer all its attributes to a part of its own body for certain incohate purposes, as I believe it can, and often does, then would that part, *for those purposes* possessing all the attributes of the whole body, be co-ordinate with the senate itself; and of course, so far co-ordinate with the executive. This appears to have been the opinion of the president himself, when on another occasion he observed in reply to the chairman of another committee, appointed to confer with him, that he did not consider the authority given to the committee by the resolution, such as would authorise them to call on him in their official character; but if they were *specially instructed by the senate*, he would freely receive them, and appoint a time for that purpose; special instructions in that case were accordingly given by the senate to the committee. Why this distinction between the *mere appointment of a committee, and special instructions* under that appointment, unless it was upon the principle, that the senate possessed the faculty of transpiring its powers, to its committees for certain purposes. But whether this presumption be fairly drawn in theory or not, the true reply to this course of reasoning, I conceive to be that the practice of conducting business between the two houses of congress by managers or conferences upon disagreeing votes between them, is founded altogether upon principles of utility and convenience. Its object is, to facilitate the public business, by harmonizing their proceedings; and if the suppositious case could really exist, and mutual convenience could be produced by it, I presume, whatever presumption might be drawn from it in theory, that in practice, the want of co-ordination on the part of a committee then invested with powers, would not long be deemed a sufficient consideration, to defeat arrangements founded altogether in mutual convenience, and practical utility.

The presumption therefore, drawn from the imaginary theoretical case, seems to be more than questionable. But there is another defect, and a very material one as it appears to me, in the president's final conclusion.

It consists in the essential difference in the organization of the tribunals supposed to be analogous. Each house of congress consists of numbers. The executive, of a single individual. It would be manifestly inconvenient from that circumstance for a committee to confer with either house collectively; but it would be entirely convenient for it to confer with the executive, consisting of a single individual. This difference is fully illustrated, in the extent to which the president carried this principle of analogy, in authorising his secretary of state, to personify the executive in confering with a committee of the senate appointed to confer with the executive authority itself. Whereas, according to the constitution, the secretary does not possess one atom of executive authority; nor does the president possess the power to invest him with one, the office wanting the co-ordination with the chief executive authority of the nation, essential to such a purpose; but a committee of the senate does participate in the character, and powers of the senate, and for certain incohate purposes may be invested with its whole powers, and of course would not be wanting in respect to co-ordination with the executive. Nor do I see, how the executive from its indivisibility, can make a committee of itself, analogous to the

proceedings of either house of congress; and it is evident that, from this dissimilarity in its organization, from its physical incapacity, it cannot in this respect conform to the proceedings of either. The secretary of state personifying the executive, for the purpose of conferring, would be analogous to the secretary of the senate personifying that body for the same purpose; each being in the contemplation of the constitution, subordinate, the mere scribe to the tribunal, to which he belongs, and incapable of participating in its powers, or attributes. This exposition shows, the uncertainty of theoretical results, when drawn from practical dissimilarities. This also leads me to consider the character of the transaction in relation to its suggested encroachment on the executive authority.

It should be recollected, that the executive, in relation to the senate, upon the subjects of treaties, and appointments to office, is the active originating power. The senate, the passive, preventive power. The executive therefore presents to the consideration of the senate all original objects. The senate may give, or deny them activity. But in the case of denial, the power of the senate, is at an end.—It has no objects. It can originate no substitute.—The obvious effect of a conference between them, therefore, would be, to give the executive the advantage, of superadding to the views of the senate, his own considerations, in favor of his own policy or objects, which if left to the deliberations of the senate unaided, might be overlooked or not comprehended. It would certainly give him the advantage of his own reasoning, in favor of his own objects, without any disadvantage, which presents itself to my mind;—whereas the senate, could have no reciprocal advantage, possessing no reciprocal originating power. It certainly subjects the senate to an additional executive influence, without any countervailing influence on its part. The idle imputation of an intended encroachment, thus appears to be utterly unfounded; unless indeed, the ethics of certain fashionable moralists, should be received, as orthodox; always to impute a bad motive, to a good action, in disrespect to the evangelical rules of the old school, to regard the infirmities of our natures, with so much charity and tenderness, as always to presume a good motive, for even a questionable action.

Hitherto this subject has been examined upon the principle of analogy drawn from the proceedings of the two houses of congress. These without any constitutional provisions on the subject, are founded solely upon voluntary arrangements between them for mutual convenience, and have been found extremely beneficial in practice. It appears to me, that some similar course of proceedings, between the executive and senate upon all points of concurrent jurisdiction, *but none others*, if not enjoined, is at least recommended from the intimate connection established between them by the constitution. In the 2nd section of the 2nd article of that instrument, the following power amongst others is given to the executive. "He, (to wit, the president) *may* require the opinion, in writing, of the principal officer in each of the executive departments, *upon any subject relating to the duties of the respective offices.*" Upon this authority it is said the executive has formed a cabinet of consultation and advice of the heads of departments, upon all points of general policy; *and without confining each to his opinion in writing upon any subject relating to the duties of his particular office.* This has been done by every president, I believe, without any scruples upon the principle of a want of co-ordination. I do not mean to question the propriety of this proceeding; my object is to compare the connection, established by this clause of the constitution, between the executive and principal officers of departments, and that, by another clause, between the executive and the senate.

By the same section and article, this power is given to the executive—"He shall have power, by and with the advice and consent of the senate, to make treaties, provided two-thirds of the senators present concur, and he *shall* nominate, by and with the advice and consent of the senate, *shall* appoint ambassadors, other public ministers, and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law." In these respects the most emphatical terms are used to establish the concurrent jurisdiction between the executive and senate. The president *shall* nominate, and by and with the *advice* and *consent* of the senate, *shall* appoint, &c. &c.

The term "advice," is as emphatical an one, as could be used to make the senate the *constitutional tribunal of advice* to the executive, upon all subjects to which it relates. But the senate is not only to *advise* the executive in these respects, its *consent* is to be given to certain executive acts. *Consent* implies the exercise of will; and the exercise of will, involves the consequences of responsibility. The plain language of the constitution to each senator, is this, you are not only to *advise* the president, but you are to give your *own consent to his acts; and are therefore to be as responsible for them to the nation*, as himself. The relations thus established, are, or ought to be, of the most intimate, and confidential nature, and in my judgment, it would conduce very much the due exercise of these powers, to agree upon some mode by which an interchange of opinion between the executive and senate, might be had at some intermediate stage of its deliberations upon executive propositions and before its final decision.* The senate devised the mode on its part, of investing a committee of its own body with all its powers,

* To relieve the appreeensions of many well disposed people, for the safety of the executive authority, in consequence of an attempt on the part of the senate, to advise or interchange opinions with the president, through the medium of a committee, upon subjects of concurrent jurisdiction only at some intermediate stage of the deliberations, and before the final act, of the senate, they are respectfully informed, that when the federal government first went into operation, the concurrent jurisdiction established by the constitution between the executive and senate upon the subject of nominations to office, was deemed by general Washington to be of so intimate a character, that he always attended the senate in person, when deliberating upon that subject, to hear its opinions and receive its advice at all stages of its deliberations. An unlucky incident induced him to decline his personal attendance in the senate thereafter, and by letter addressed to the senate he stated the reasons of his determination in that respect, I do not at this time recollect the contents of those reasons, but I presume they had relation to the incident which induced the conduct. They, I believe, had no relation either to the want of co-ordination, or apprehensions of encroachments upon the executive authority. Nor does the present president condescend to place his refusal upon any apprehensions of that kind——that idea is certainly a mere afterthought of officious friends; which I am sure he would disclaim. Many inconveniences attended the first practice of being always present at the examination of every nomination, from which, the last mode pointed out, would be entirely exempt.

and after requesting a respectful conference with the executive, authorising it, *to act on its part, at that conference.* The president has deemed it his duty to decline this overture, and thus to deny all intermediate interchange of opinion with the senate upon executive propositions; and to receive its advice, only by its final act. It is scarcely possible to avoid attaching to this act, an air of defiance, unfriendly in its tendency to that reciprocal confidence, and co-operation between the two tribunals, which the public interests seem imperiously to require. The president, as an *independent* department of the government, had an unquestionable right to decline the overture, and having, as I verily believe, with the purest motives, laid down the rule of his own conduct, it will doubtless, be cheerfully and I hope, with unabated confidence, and good will acquiesced in by the senate during the remaining part of his administration. Perhaps too, it will become the permanent rule of proceeding between the two tribunals in all future times. But I have yet to learn the correctness of the principle upon which the refusal was founded, and I have also yet to learn, that the executive authority of the nation will be improved by it.

WM. B. GILES.

*Wigwam, October* 23, 1813.

# Legislature of Ohio.

## GOVERNOR'S MESSAGE.

*Gentlemen of the senate*
*and house of representatives,*

Convened at a period interesting to your constituents, and delegated to the discharge of the most important duties; you may find in the general health and fruitfulness of the last season, ample cause for congratulation and motives of gratitude to the Great Dispenser of every good gift.

The United States have not been so fortunate as to be exempted from the calamities of war, which for a long time has convulsed and continues to agitate the nations of the old world.

War, though ever to be deprecated, is not the greatest of evils; and when compared to national abasement, and the degradation of independence, appears less obnoxious, and when founded on justice, to conduct, to support and invigorate it, becomes a duty.

Compelled to this justifiable resort for the maintenance of our rights, essential to the sovereignty of the nation, and which cannot be abandoned without their sacrifice, peace must be redeemed by the sword. In the progress of the American arms, benevolence has added honor to victory; wanton severities, cruel depredations, and remorseless ferocities have stained the banners of the enemy with a crimsoned inhumanity. Regretful indeed as are these considerations to a peace-loving nation, there are nevertheless consolations to be found in the justice of our cause, in the prosecution of the war, as well as the inevitable urgency of the occasion.

Since the last session of the general assembly, urgent requisitions have been made on me by the commanding general of the 8th United States military district, for the aid of the militia of Ohio. Upon every call to arms the militia have marched with a prompt and cheerful alacrity, conducted with a commendable subordination, and acquired no inconsiderable degree of improvement in good order and discipline; and although unable to reach a retiring enemy, the troops were of essential service to the north west army, by furnishing large transportations and escorts of its provisions, artillery, and munitions of war. Two thousand of the Ohio militia are now on duty in the service of the United States, and are stationed at forts St. Mary's, Amanda, Jennings, Winchester, M'Arthur, Findlay, Meigs, Upper Sandusky, Lower Sandusky and Portage, within the bounds of the state, and at Detroit, in Michigan.

The splendid and auspicious victory on lake Erie—the capture of a British force in a contiguous section of Upper Canada—the dispersion of many savages, and the conclusion of an armistice with others as precursory to peace, afford a brighter prospect in the western horizon, heretofore beclouded with disappointment and disaster.

These successes promise greater exemption from the cruelties of the infuriate savage and his inhuman instigator;—yielding a degree of relief from those apprehensions which have been truly afflicting to our frontier inhabitants. An extinguishment of a considerable portion of Indian title to lands lying within the bounds of the state may soon be expected; and under the act of congress "*to authorize the president of the United States to ascertain and designate certain boundaries*" it is hoped that the western and northern boundaries of the state may, at an early season, be demarked and established; and that a retarded emigration will redouble its pace to our healthy climate and faithful soil.

The fifty-third section of the militia law, providing for the assessment of fines for neglecting or refusing to march on tours of duty, has received various and contradictory constructions by the militia boards of enquiry; the merits or demerits of the delinquent in regard to neglect or refusal, seem in many instances not to have been considered—but the highest possible penalties have been adjudged. It will be perceived, that such decisions must press heavily on those whose circumstances are unprosperous or unfortunate—and that a more uniform rule ought to be prescribed, while shielding from too much rigor, should guard against a too great relaxation of the principle of duty.

The major-general of the third division of militia, having accepted a military appointment in the army of the United States, resigned his commission from the state. The major-general of the second division has also accepted a similar appointment, but has not formally and in writing resigned his militia commission. I consider both offices as vacant—and for the purpose of a more complete organization, desire that those vacancies may be early supplied; together with that of quarter-master-general of the second division. The resolution of the general assembly respecting the mounting and equipping artillery, has been complied with. During the last and the present year, several articles of property were advanced by individuals and others impressed for military purposes; it will be proper to provide the means of compensation for those articles.

To facilitate the payment of Ohio militia in the service of the United States, I recommend the immediate creation of the office, and making the appointment of *paymaster-general of the militia of Ohio,* through whose hands all monies for militia pay, which shall be received from the paymaster-general of the armies of the U. States, shall pass to the regimental paymaster—conforming in his duties to the regulations of the United States as they may be prescribed. The great delays and difficulties which have occured in the payment of the militia, have almost precluded a compensation for their services. Should such officer be appointed, I can instantly furnish him with the public regulations, laws, forms and instructions on the subject of his duty.

An account of the disbursement of monies drawn from the treasury, by authority of the law "to pro-

vide blankets for the Ohio militia then in the service of the United States," and of the act amendatory thereto; and an account of sums drawn from the contingent fund, will soon be presented for your examination.

For the maintaining a regularity of accountship between the auditor's and treasurer's offices, no monies (it is considered) should be drawn from the treasury except through the auditor's office.—The drawing of monies from the treasury under the last mentioned acts, exemplifies the necessity of an adherence to that principle, and the departure from which in the above case will require the correction of a law. It will renew to the legislature the intimation given on a former occasion, that there ought upon principle to be an examining check on the treasury department.

Conformable to a resolution passed the last session, "*relative to the jurisdictional right of the state of Ohio over the Ohio river*," I have transmitted copies thereof to the executive authorities of Virginia and Kentucky; to these communications no answer has been received, but have been inofficially informed that the legislatures of those states had entered on their consideration but had not come to a decision.

It is a satisfaction to inform you, that the university of Ohio established at Athens, is in an improving condition, increasing in reputation and utility—but with regret I learn that the progress of the Miami University has been retarded beyond public and private expectation. Whether radical defects exist in the mode of the disposal of its lands, or an injudicious neglect in the management of its concerns, is meriting your investigation.

A list of vacancies which have occurred and executive appointments made, is presented. Some vacancies will require an early supply, as the times of holding some of the courts of common pleas are near.

The increasing number of counties and townships, may require an enlarged distribution of the laws.

In consequence of several former laws relating to taxes on lands, a variety of papers and documents have been deposited, and yet remain in offices of the clerks of the original counties—such papers and documents should, by a law to be passed, be transferred to the possession of the clerks of the county commissioners, of those counties in which the lands lye, and to which such papers and documents respectively relate.

Permit me, gentlemen, to turn your attention to a subject of superior importance:

The act of the United States, "*to lay and collect a direct tax in the United States*," passed the 2d day of August, 1813, apportions the quota of the state of Ohio at one hundred and four thousand, one hundred and fifty dollars and fourteen cents. The seventh section of the act provides, that where a state pays its quota into the treasury of the United States before the tenth day of February next, such state shall be entitled to a deduction of fifteen per centum; or if paid before the tenth day of May next, to a deduction of ten per centum.

Many reasons, both of state economy and general policy, might be presented in favor of the expediency of availing the state of the benefits derivable from the proposition. I will however but remark, that in addition to the value of the deduction proffered in the 7th section of the law, will be the amount of taxes imposable on lands purchased under any law of the United States, in a just and equal proportion of the state's quota of the direct tax;—which lands have heretofore been exempt from taxation, though now rendered liable by the eighth section of the aforesaid act, provided the state shall pay its quota by either of the days specified in the section next preceding. The ability of the state, to advance its quota, to me appears unquestionably competent.—You will by the auditor's report, perceive, that there is now in, and shortly will be accruing to the state treasury, a surplus of monies beyond the ordinary exigencies of the state. If the subject shall be considered, it will require an early attention.

By the act of the United States "*laying duties on sales at auction of merchandize, and of ships and vessels*," duties are payable to the United States. By a reference to that act it will appear necessary that you should provide, by law, for the appointment of licence of auctioneers. The laws of the United States which are quoted, will be furnished the general assembly.

The state penitentiary will (doubtless) be completed by the time of the next annual meeting of the legislature; and before its destined and appropriate use can be beneficial, our criminal code must undergo a prudent revision, adapted to the nature and extent of punishment by labor and confinement; and a system of police prison regulations established.

In making such revisal, and forming such regulations, a resort will be had to experience and systems of other states, for the obtaining of information. It may be for you to decide if it might not be useful that suitable persons should be authorised to prepare such revision and police regulations during the recess and to present them to the next session of the legislature for examination.

The globe, at this period, exhibits the singular spectacle of but one nation (self-governed by the voice and will of free citizens) contending amid the storms of a tempestuous political world, for those rights which God and nature has bestowed.

In the belligerent condition of our country it behoves ALL invested with magistracy, command or legislation, to discharge with prudence, energy and fortitude, their various allotments of duty.

To you, gentlemen, is assigned the province of preserving morals, by providing for the correction of crimes, by making salutary reforms and useful improvements of the laws; of encouraging arts of general and domestic manufacture; of patronising that education, which, while it enlightens the understanding, corrects the heart; and of countenancing a religion replete with benignity and consolation.

I have thus suggested a few objects for your consideration; your equal information and knowledge will furnish you with many others of a beneficial nature.

Though dear to us are our institutions, there are duties (important and precious) to be performed in our federative relations. United by principle—instructed by historic example, and fortified by our own experience, a supreme attachment to the integrity of the union deserves to be cultivated with fervid devotion. Notwithstanding there may be a hostile few who with an unhallowed hand, would separate the columns and demolish the edifice of our liberties.

The unity of political sentiment which generally pervades the state, is a source of satisfaction; and to promote a concord, as happy for the citizen as salutary for the public, will be a pleasing duty to the representatives of free constituents, who discarding the distinctive appellations of party, should be proud of the name of AMERICAN.

With the heritage of freedom a constitution and laws as liberal as can comport with the happiness of man and his protection, before us,—we should be unworthy of their enjoyment, and ungrateful for the beneficent boons, were we not to aid in the pre-

servation of their purity to the extent of every rational and physical ability.

To the hope of an useful result to your legislative labors, to which I will at all times give, with cheerfulness, every official aid—I will add the supplication, that HE who can *check the raging of the heathen, and quiet the tumults of nations*, would give *wisdom to our counsellors*, strength to our armies, and overshadow our beloved country with the wings of his protection.

RETURN J. MEIGS.

*Chilicothe, Dec.* 7, 1813.

## Senatorial Proceedings.

### SECRET JOURNAL.

*Thursday, December* 9, 1813,—The following confidential message was received from the president of the United States, by Mr. Coles, his secretary.

[The same as communicated to the house of representatives.—See page 287 of the *Register*.]

The message was read:

On motion, ordered, that it be referred to the committee this day appointed on so much of the message of the president of the United States as relates to our foreign relations, with leave to report thereon by bill or otherwise.

*Monday, Dec.* 13.—Mr. Bibb, of Georgia, from the committee appointed the 9th instant on this subject, reported in part a bill laying an embargo on all ships and vessels in the ports and harbors of the United States, which was in part read.

A confidential message was received from the house of representatives, by Mr. Grundy and Mr. Lewis, two of their members:

*Mr. President*—The house of representatives have passed a bill (in confidence) "laying an embargo on all ships and vessels in the ports and harbors of the United States," in which they request the concurrence of the senate. And they withdrew.

The bill last mentioned was read; and

On motion, by Mr. Bibb, it was agreed to suspend the twelfth rule for conducting business in the senate, so far as relates to the second reading of the bill at this time;

And the bill was read the second time.

On motion by Mr. Bibb, ordered, that it be referred to the committee appointed on the 9th inst on so much of the message of the president of the United States as relates to our foreign relations, to consider and report thereon.

On motion, by Mr. Giles, ordered, that the bill this day reported by the committee last mentioned, be recommitted to the original committee, to consider and report thereon.

Mr. Bibb, from the committee on foreign relations, reported the bill from the house of representatives with amendments; which were read.

A motion was made by Mr. Smith, that the bill and amendments be confidentially printed for the use of the senate; and

On motion by Mr. Campbell, the question was divided; and it was agreed that the amendments to the bill as reported by the committee be confidentially printed for the use of the senate.

*Tuesday, December* 14.—The senate resumed, as in committee of the whole, the consideration of the bill, laying an embargo on all ships and vessels in the ports and harbors of the United States, together with the amendments reported thereto by the select committee—and Mr. Anderson was requested to take the chair.

Whereupon, the amendments were amended and adopted.

And after debate, on motion, by Mr. Giles, ordered, that the bill be re-committed to the original committee further to consider and report on the fourth section thereof.

*Wednesday, December* 15.—Mr. Anderson in the chair.

Mr. Bibb, from the committee on foreign relations to whom are recommitted the bill laying an embargo on all ships and vessels in the ports and harbors of the United States, reported amendments to the fourth section—and the bill and amendments were considered as in committee of the whole—and the bill having been further amended, the amendments were agreed to.

On motion, by Mr. Brown, to expunge from sec. 2, line 3, the words "goods, wares, merchandize, produce;"

It was determined in the negative, yeas 9, nays 25, as follows:

YEAS.—Messrs. Brown, Daggett, Dana, Fromentin, Gore, King, Mason, Smith, Wells.—9.

NAYS.—Messrs. Anderson, Bibb, of Geo. Bledsoe, Brent, Campbell, Chace, Gaillard, German, Giles, Gilman, Goldsborough, Horsey, Howell, Hunter, Lacock, Lambert, Leib, Morrow, Robinson, Stone, Tait, Taylor, Turner, Varnum, Worthington—25.

On motion by Mr. Mason, to amend the amendment to the first section of the bill, by inserting the following words, 'and with the goods, wares and merchandise, other than provisions and military stores on board of such foreign ship or vessel when notified of this act';' it was determined in the affirmative, yeas 18, nays 16, as follows:

YEAS.—Messrs. Anderson, Daggett, Dana, Fromentin, German, Gilman, Goldsborough, Gore, Horsey, Hunter, King, Lambert, Leib, Mason, Smith, Stone and Wells.

NAYS.—Messrs. Bibb of Georgia, Bledsoe, Brent, Brown, Campbell, Chace, Gaillard, Howell, Lacock, Morrow, Robinson, Tait, Taylor, Turner, Varnum and Worthington.

And Mr. Anderson reported the bill to the senate amended.

On motion, to agree to the report of the committee to strike out the fourth section, for the purpose of inserting the following after 'enacted:'

"That the president of the United States may authorise the collectors of the customs (when in his opinion it can be done without danger of the embargo being violated, and under such limitations as he may deem expedient) to grant permission to vessels or boats whose employment has uniformly been confined to the navigation of bays, sounds, rivers, or lakes within the jurisdiction of the U. States, or the territories thereof, to take on board at any time such articles of domestic or foreign growth, as may be designated in such permission, bond with one or more sufficient sureties being previously given to the United States by the owner, or owners, consignees, or factors of such vessel or boat, and by the master thereof, in an amount equal to three hundred dollars for each ton of the said vessel or boat, that such vessel or boat shall not, during the time limited in the condition of the bond, depart from any district of the United States, without having previously obtained a clearance, nor until the master or commander shall have delivered to the collector or surveyor of the port of departure a manifest of the whole cargo on board; that the said vessel or boat shall not, during the time abovementioned, proceed to any port or place than that mentioned in her clearance, nor put any article on board of any vessel or boat, or be employed in any foreign trade; and that on every voyage or trip, the whole of the cargo shall be landed in a port or place of the United States, or the territories thereof, within the bays, sounds, rivers, or lakes to which the navigation of such vessel is confined. And the burthen of proof of the landing the whole of any such cargo within the bay, sounds, rivers, or lakes to which the navigation of such vessel or boat is confined, or

in the port or place mentioned in her clearance, shall, in case of any suit or prosecution instituted on such bond for a breach of the conditions thereof, lie upon the owner or owners, consignees or factors of such vessel or boat, or the master thereof, as the case may be. *Provided*, such prosecution or suit be instituted within two years after such breach shall have been committed."

A division of the question was called for by Mr. Horsey. And on the question to strike out the fourth section,

It was determined in the affirmative, yeas 33 nay 1.

Mr. Dana voted in the negative.

On the question to insert the substitute reported by the select committee; it was determined in the affirmative, yeas 26, nays 8, as follows:

YEAS—Messrs. Anderson, Bibb, of Geo. Bledsoe, Brent, Brown, Campbell, Chace, Fromentin, Gaillard, Giles, Goldsborough, Howell, King, Lacock, Lambert, Leib, Morrow, Robinson, Smith, Stone, Tait, Taylor, Turner, Varnum, Wells and Worthington—26.

NAYS—Messrs. Dagget, Dana, German, Gilman, Gore, Horsey, Hunter and Mason—8.

On the question to agree to the report of the committee, and strike out the seventh section, as follow:

Sec. 7. *And be it further enacted*, That the owner or owners of all vessels licensed for fisheries, or those bound on a whaling voyage, and having no other cargo than necessary sea stores, salt and the usual fishing tackle and apparel, shall give a general bond in four times the value of the vessel and cargo, that they will not, during the continuance of this act, proceed to any foreign port or place, and will return with their fishing fare to some port or place within the United States."

It was determined in the negative, yeas 13, nays 21, as follows:

YEAS—Messrs. Anderson, Bibb, of Geo. Brent, Campbell, Chase, Gaillard, Howell, Lacock, Morrow, Robinson, Stone, Turner and Worthington—13.

NAYS—Messrs. Bledsoe, Brown, Dana, Dagget, Fromentin, German, Giles, Gilman, Goldsborough, Gore, Horsey, Hunter, King, Lambert, Leib, Mason, Smith, Tait, Taylor, Varnum and Wells—21.

On motion by Mr. Dana, to strike out of section 10, the words "carts, waggons, sleighs, or any other carriage, or in any manner apparently on their way towards the territories of a foreign nation, or the vicinity thereof, or"

It was determined in the negative, yeas 8, nays 25, as follows:

YEAS—Messrs. Dagget, Dana, Goldsborough, Gore, Hunter, King, Mason, Wells—8.

NAYS—Messrs. Anderson, Bibb, of Geo. Brent, Brown, Campbell, Chase, Fromentin, Gaillard, German, Giles, Gilman, Horsey, Howell, Lacock, Lambert, Leib, Morrow, Robinson, Smith, Stone, Tait, Taylor, Turner, Varnum, Worthington—25.

On motion by Mr. Dagget, to expunge from the 1st section the words—

"And that the president be authorised to give such instructions to the officers of the revenue, and of the navy, and of the private armed vessels and revenue cutters of the United States, as shall appear best adapted for carrying the same into full effect;"

It was determined in the negative.

On motion by Mr. Dana, to strike out of section 12, the words—

"The illegal departure of any ship or vessel, or of detaining, taking possession of and keeping in custody any ship or vessel, or of taking into custody and guarding any specie, goods, wares, merchandize, produce or provisions, and also for the purpose of preventing."

It was determined in the negative, yeas 11, nays 22, as follows:

YEAS—Messrs. Dagget, Dana, German, Goldsborough, Gore, Horsey, Hunter, King, Lambert, Mason, Wells—11.

NAYS—Messrs. Anderson, Bibb, of Geo. Bledsoe, Brent, Brown, Campbell, Chase, Gaillard, Giles, Gilman, Howell, Lacock, Leib, Morrow, Robinson, Smith, Stone, Tait, Taylor, Turner, Varnum, Worthington—22.

On motion by Mr. Mason, to strike out the 6th section—[as inserted in page 274]

It was determined in the negative, yeas 12, nays 22—as follows:

YEAS.—Messrs. Dagget, Dana, German, Gilman, Goldsborough, Gore, Horsey, Hunter, King, Lambert, Mason, Wells.

NAYS.—Messrs. Anderson, Bibb of Georgia, Bledsoe, Brent, Brown, Campbell, Chase, Fromentin, Gaillard, Giles, Howell Lacock, Leib, Morrow, Robinson, Smith, Stone, Tait, Taylor, Turner, Varnum, Worthington.

On motion, by Mr. Mason, to amend the amendment to the first section by inserting the following words:

"Or any vessels licensed for the fisheries or those bound on a whaling voyage and having no other cargo than necessary sea-stores, salt and the usual fishing tackling and apparel;"

It was determined in the negative, yeas 12, nays 22—as follows:

YEAS.—Messrs. Dagget, Dana, German, Gilman, Goldsborough, Gore, Horsey, Hunter, King, Lambert, Mason, Wells.

NAYS.—Messrs. Anderson, Bibb of Georgia, Bledsoe, Brent, Brown, Campbell, Chase, Fromentin, Gaillard, Giles, Howell, Lacock, Leib, Morrow, Robinson, Smith, Stone, Tait, Taylor, Turner, Varnum, Worthington.

On the question—"shall the bill be read a third time as amended?"

It was determined in the affirmative, yeas 20, nays 14—as follows:

YEAS.—Messrs. Anderson, Bibb of Georgia, Bledsoe, Brent, Campbell, Chase, Gaillard, Giles, Howell, Lacock, Leib, Morrow, Robinson, Smith, Stone, Tait, Taylor, Turner, Varnum, Worthington.

NAYS.—Messrs. Brown, Dagget, Dana, Fromentin, German, Gilman, Goldsborough, Gore, Horsey, Hunter, King, Lambert, Mason, Wells.

*Thursday, December* 16.—Mr. Fromentin, from the committee, reported the amendment to the bill, entitled "an act laying an embargo on all ships and vessels in the ports and harbors of the United States," correctly engrossed; and the bill was read the third time as amended.

On the question, "shall the bill pass as amended?"

It was determined in the affirmative, yeas 20, nays 14—the same as on the third reading of the bill as amended.

So it was *Resolved*, That the said bill do pass with amendments.

*Ordered*, That Mr. Bibb of Georgia and Mr. Bledsoe be a committee to carry the said bill to the house of representatives.

*Friday, December* 17.—Mr. Bibb, from the committee appointed to carry a confidential message to the house of representatives, reported, that they had performed that service.

## Proceedings of Congress.

HOUSE OF REPRESENTATIVES.

*Monday, December* 20.—Mr. Ingersoll, from the committee to whom was referred the petition of the president and directors of the Chesapeake and Delaware Canal Company, made a report, which was read, and Mr. Ingersoll afterwards reported a bill to authorise the secretary of the treasury in behalf of the United States, to subscribe for seven hundred and fifty shares in the capital stock of the said company, which was twice read and committed to a committee of the whole house.

On motion of Mr. Burwell,

*Resolved*, That the committee on naval affairs be instructed to enquire into the expediency of authorising the president to provide an additional number of armed vessels for the public service, to carry not less than 16 guns nor more than 22; with leave to report by bill or otherwise.

On motion of Mr. Seybert,

*Resolved*, That a committee be appointed to en-

quire into the present condition and distribution of the flags, standards and colors, which have been taken by the forces of the United States from their enemies; and whether it would be expedient to make any provision in relation to them; with leave to report by bill or otherwise.

*Resolved*, That a committee be appointed to enquire into the expediency of making adequate and permanent provision for the support of all officers, soldiers and marines, who have fallen or shall fall in the military or naval service of the United States, with leave to report by bill or otherwise.

The report of the committee of elections on the petition of Isaac Williams, jun. of New-York, contesting the election of John M. Bowers, the sitting member, which concluded with the resolve that the former was entitled to the seat held by the latter, was considered, and unanimously concurred in.

Mr. Cooper offered the following resolution:

*Resolved*, That the committee on military affairs be instructed to enquire and report what provisions ought to be made for the payment of the expences of the militia called out under the authority of any of the state or territorial governments, for the defence of the country against the incursions of the enemy, with leave to report by bill or otherwise.

The preceding resolution was, after some desultory discussion, referred to ths committee for revising the militia laws, instead of as proposed.

Mr. Pickens, after making a few prefatory remarks, submitted the following joint resolution, which was read, referred to a committee of the whole house on the state of the union, and ordered to be printed.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled, two-thirds of both houses concurring therein*, That the following amendment to the constitution of the United States be proposed to the legislatures of the several states, which, when ratified by the legislatures of three-fourths of said states, shall be valid to all intents and purposes as a part of the said constitution.

The electors of president and vice-president of the United States shall be chosen by districts; and for that purpose each state shall be divided by its legislature into a number of districts equal to the number of electors to which the state may be entitled. Each district shall contain as nearly as may be, equal numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years and excluding indians not taxed three-fifths of all other persons. In each district the persons qualified to vote for representatives in the congress of the United States shall choose one elector. The legislature of each state shall have power to regulate the manner of holding elections and making returns of the electors chosen by the people. In case all the electors should not meet at the time and place appointed for giving their votes, a majority of the electors met shall have power, and forthwith shall proceed, to supply the vacancy. The districts for choosing electors of president and vice-president of the United States, shall not be altered in any state until an enumeration and an apportionment of representatives shall be made subsequent to a division of the state into districts. The division of the state into districts shall take place as soon as conveniently may be, after this amendment shall become a part of the constitution of the United States and successively afterwards whenever a new enumeration and appointment of representatives shall be made.

*Tuesday, December* 21.—After several propositions had been laid before the house—Mr. Lovett submitted the following resolutions:

*Resolved*, That the president of the United States be requested to cause to be laid before this house, if in his opinion it will not be inconsistent with the public welfare, all the evidence in his possession relative to the commencement, progress, and present state of the system of retaliation, upon prisoners of war, to which the governments of the United States and Great Britain have lately resorted. Also, that the president of the United States will cause to be laid before this house, the names of those prisoners of war who have been sent as criminals to England for trial. Also, evidence when and where those prisoners were captured; at what time they emigrated from the British dominions to the United States; when and in what manner they had incorporated themselves into our political society; also, whether any or all of the said prisoners have been naturalized agreeably to the laws of the United States; and when, and where, and all other evidence which may serve to shew and define the national character of the said prisoners of war.

*Resolved*, That the president of the United States be requested to cause to be laid before this house, if, in his opinion, it be not inconsistent with the public welfare, any documents, papers, evidence or information, tending to shew that naturalized subjects of Great Britain are, by her, employed in war, against their native country; and that they are, by her, protected from punishment, either by means of retaliation or otherwise, when taken by their native countrymen in arms against them, or in arms invading their territories.

*Resolved*, That the president of the United States be requested to cause to be laid before this house, if in his opinion it be not inconsistent with the public welfare, such evidence as he may have in his possession relative to the orders, regulations and proclamations, which, since the commencement of the present war, have been issued and promulgated in the provinces of Canada, by the governor-general of those provinces, or any other officer or agent of the British government relative to the state, condition, rights, and duties of the native citizens of the United States residing in those provinces; also the number of such native citizens of the United States, as have, during the present war, borne arms against the United States, within their limits, and what is the present situation of such citizens.

The resolutions were read, and on motion of Mr. Macon, ordered to lie on the table and be printed.

*Wednesday, December* 22 and *Thursday the* 23d.—Nothing important proposed or transacted.

*Friday, December* 24.—On motion of Mr. Ingersoll,

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of altering the judicial system of the United States.

*Resolved also*, That the same committee be instructed to enquire into the expediency of providing by law for the more effectual punishment of crimes against the United States; and that they have leave to report by bill or otherwise.

A proposition to adjourn until Monday, the 3d of January, on the ground that the several committees would not be able to report before that time, was discussed and negatived 99 to 46.

*Monday, December* 27.—Nothing important transacted.

*Tuesday, December* 28—The speaker laid before the house the memorial of Alexander Smyth, late inspector-general of the army of the United States, stating the motives which had induced him to abandon his profession and enter the military

service of his country; stating his surprize at being ousted from service without cause, by abolition of his office; offering to prove his conduct whilst in office to have been free from censure; and praying to be reinstated in the rank in the army which he recently held.

The memorial having been read—

Mr. Nelson of Va. moved its reference to the military committee; but on suggestion of Mr. Troup of Georgia, varied his motion so as to refer it to the secretary of war; which reference was agreed to.

Mr. Hanson, after some prefatory remarks, submitted the following resolutions——

*Resolved*, That the president be, and he is hereby requested to communicate to this house any information in his possession, and which it may not be improper to divulge, in relation to the omission or refusal of the French government to accredit the minister plenipotentiary sent by the United States to that court, or of his reception, if accredited, and of the progress of his negociation.

*Resolved*, That the president be, and he is hereby requested to cause to be laid before this house, any correspondence with or communication in writing from, the late minister of France, resident at Washington, on or about the 14th of June, 1809, or subsequently with his successor, Mr. Serrurier, prescribing or declaring the terms and conditions upon which their sovereign would consent to treat of amity and commerce with the United States, if any such correspondence or communication be in the possession of the executive, and if none such be in the possession of the executive, that the president be and he is hereby requested to inform this house, unless the public interest forbid such disclosure, whether there has not been such a correspondence or communication, which was withdrawn from the archives of the department of state, and if so, *when* and *how* the same was so withdrawn.

[The first resolution sufficiently explains itself; the record refers to "*Turreau's* letter," see page 37. The house agreed, 125 to 21, to consider the resolutions, and they were ordered to lie on the table. Mr. *Eppes* stated his willingness that the conduct of government should have the fullest examination; for "it possessed no secrets with the people." He said that Mr. *Crawford* had been received in France, and as far recognized as he could be, in the absence of the emperor; and declared that no such letter as described in the 2nd resolution now was, or ever had been, on the files of the secretary of state. Mr. Hanson pledged himself to prove that such a letter had been written, and that it was withdrawn on "solicitation," but not until Mr. *Jackson* had been dismissed, &c. As it is probable these resolutions will be adopted, we shall have to record the facts that transpire, and, may be, have room for some of the speeches of the members.]

*Wednesday, December* 29.—Many petitions were read and referred, but nothing important done. The house is yet chiefly occupied in preparing business. Among the petitions we notice the following:

Mr. King, of N. C. presented the petition of sundry persons in North-Carolina, praying the aid of the government in opening an inland navigation, to connect the waters of Chesapeake bay with the river St. Mary's in the state of Georgia. Referred to the committee on inland navigation.

## Naval Law Case.

CIRCUIT COURT—OCTOBER TERM, 1813.

*Stephen Decatur, vs. Thomas I Chew.*

This was an action for money had and received.—In the trial of this cause, so interesting to our gallant naval officers, a statement of facts was agreed upon by the counsel, which is substantially as follows:

In the autumn of 1812, commodore DECATUR commanded the United States' frigate *United States*, with unlimited orders, and had attached to his squadron the frigate *Chesapeake*, captain EVANS, commander, and the brig *Argus*, captain SINCLAIR, commander, by virtue of instructions from the navy department. Captain EVANS, with some latitude of discretion, sailed upon a cruise, in the *Chesapeake*, under the immediate and limited orders of commodore DECATUR, and during his cruise, captured a British merchant ship, called the *Volunteer*, and sent her, with a prize-master, into the district of New-Hampshire, where she was libelled, and condemned by the district court for that district; and one moiety of the proceeds ordered by the court to be paid into the treasury of the United States; and the other to be paid into court, for the use of the captors.—The officers and crew of the *Chesapeake*, appointed the defendant prize-agent, who received the moiety of the proceeds condemned to the use of the captors. When captain EVANS returned to Boston, he reported his cruise to commodore DECATUR; but before the *Chesapeake* sailed on her cruise, commodore DECATUR had returned to New-London with his Britannic majesty's frigate *Macedonian*, as a prize, and owing to the superior force of the enemy lying off New-London, has not yet been able to proceed to sea.

Commodore DECATUR claims one twentieth of one moiety of the proceeds of the *Volunteer*. Captain EVANS, as a matter of right, refused to permit the defendant, who is a mere stake-holder, to pay it over on two grounds. The first was, that the *Chesapeake* was acting "*independently*" when she made the capture, in which case, by the prize-law of the United States, captain EVANS would have been entitled to three-twentieths of the prize-money, and the commodore to nothing. The second ground was, that commodore DECATUR had "*left his station*" prior to the capture of the *Volunteer*, in which case, by the prize law, the commodore was not entitled to any portion of the *Chesapeake's* prize money.

The cause was argued early in the term by SELFRIDGE for the plaintiff, and by BLAKE, district attorney, for the defendant. The court convened yesterday by adjournment, when his honor, judge STORY, pronounced a learned opinion, in which the district judge concurred, and gave judgment to the plaintiff.

## Finances of South-Carolina.

COMPTROLLER-GENERAL'S REPORT.

*To the honorable John Geddes, speaker, and the other members of the honorable house of representatives.*

The comptroller-general, in compliance with the resolution of your honorable house, of the 24th instant, requiring him to report a general view of the finances of the state during the last six years, specifying the annual amount of the receipts and expenditures, and of the debts paid during that period. Also, the debts now due by and the funds of every description belonging to the state, and the probable expenditures and receipts of the ensuing year, *under existing laws*—Respectfully reports, That during the last six years, viz. from the last day of September, 1807, to the first day of October, 1813, there has been received at the two offices of the treasury, the sum of 1,878,160 dollars and 19 cents, and paid away during that period the sum of 1,924,826 dollars and 75 cents.

| | |
|---|---|
| That the balance in the two offices of the treasury, on the 1st October, 1807, was | Dols. 151,468 69 |
| Which added to the aggregate receipts, for the last six years, makes the sum of | 2,029,628 88 |
| From which after deducting the sum of | 1,924,820 76 |
| There will remain the balance | Dols. 104,808 12 |
| The sum in the two offices of the treasury, on the first October last. | |
| That for the year 1808, there was received | 368,135 1 |
| And paid away | 372,564 10 |

| | | |
|---|---|---|
| For 1809, received | 318,303 | 42 |
| And paid away | 257,055 | 43 |
| For 1810, received | 302,194 | 62 |
| And paid away | 244,004 | 61 |
| For 1811, received | 295,935 | 70 |
| And paid away | 341,906 | 27 |
| For 1812, received | 279,099 | 64 |
| And paid away | 376,044 | 32 |
| For 1813, received | 314,500 | 80 |
| And paid away | 333,246 | |

Exhibit (A) accompanying this report is a statement of the debts and credits for that period.

It is within the knowledge of your honorable house, that the revenue of the state, for the last six years, has arisen from general taxes, vendue duties, dividends of banks.

Interest and principal received on paper medium bonds. Interest and principal on the stock of the United States held by this state, with a few other inconsiderable and contingent matters, such as licenses for hawkers and pedlars, theatres, fines and forfeitures, &c. That this revenue was considerably impaired in the year 1809, by a grant of all vendue duties to the city council of Charleston, in a sum equal at least to 18,000 dollars per annum—and was lessened in a much greater degree by the reduction of taxes, which took place in the year 1808.

That the average income from every source of revenue, for the last six years, does not exceed Dols. 313,026 70

And the average disbursements, for the same period, 320,803 49

In reply to that part of the resolution of your honorable house, which demands an account of the debts now due by, and the funds of every description belonging to the state, the comptroller-general respectfully refers to the estimate of public debt, accompanying his general report, No. , in which he has afforded all the information asked for.

Under the existing laws the receipts (including principal and interest, from the United States) will probably amount to 260,000

And the disbursements (supposing that there will be only 80,615 dollars and 50 cents of past appropriations unpaid called for) and that no part of the claim of the legionaries of Luxemburg, authorised by the act of 1807, to be paid when satisfactorily proved, should be called for 227,000

Within the last six years there has been paid off, of the public debt, the sum of three hundred and eighty-eight thousand nine hundred and fifty-eight dollars, as will appear by exhibit, (B.)

The comptroller-general begs leave to observe, that by the act of the legislature of 1794, the stock of the United States is pledged for the payment of the quarterly interest on, and final redemption of, the domestic debt, and that the whole of the stock of the United States, by the annual payment thereon, will be finally paid off in the year 1824. The estimate of probable receipts for the ensuing year, includes the interest and principal, which will be paid on that stock by the United States, and the estimate of disbursements, embraces no redemption of the state debt.

Respectfully submitted by

THOMAS LEE, *Comptroller-General.*

(A) Receipts and payments at the two offices of the treasury, between the last day of Sept. 1807, and the 1st Oct. 1813.

| | | |
|---|---|---|
| Received, 1808, | 369,135 | 1 |
| 1809, | 318,303 | 42 |
| 1810, | 302,194 | 62 |
| 1811, | 295,935 | 70 |
| 1812, | 279,090 | 64 |
| 1813, | 314,500 | 80 |
| | 1,878,169 | 19 |
| Balance in the two offices of the treasury, 1st October, 1807, | 151,468 | 69 |
| | 2,020,628 | 88 |
| Paid, 1808. | 372,564 | 10 |
| 1809, | 257,055 | 43 |
| 1810, | 244,004 | 61 |
| 1811, | 341,906 | 27 |
| 1812, | 376,044 | 32 |
| 1813, | 333,246 | 3 |
| | 1,924,820 | 76 |
| Balance in the two offices of the treasury, 1st October, 1813, | 104,808 | 12 |
| | 2,029,628 | 88 |

(B) Public Debt Paid.

| | | | |
|---|---|---|---|
| 1808. | Funded debt redeemed, | Dols. 92,444 | 19 |
| | Legionaries of Luxemburg, | 2,193 | 44 |
| 1809. | Registered debt, | 4,635 | 6 |
| | Legionaries of Luxemburg, | 811 | 50 |
| 1810. | Registered debt, | 489 | 3 |
| | Legionaries, and | 2,659 | 37 |
| | Trustees of Mrs. Buyck, | 14,619 | 58 |
| 1811. | Legionaries, | 2,743 | 48 |
| | Funded debt redeemed, | 126,548 | 27 |
| | Registered debt, | 200 | 87 |
| 1812. | Funded debt redeemed, | 139,113 | 30 |
| 1813. | Funded debt redeemed, | 2,500 | 00 |
| | | 388,958 | 9 |

(C) Items accompanying the disbursements for the ensuing year not including any new or extra appropriations of the present session.

| | |
|---|---|
| Salaries, say | 48,000 |
| Contingent fund, | 6,000 |
| Annuities, | 2,000 |
| Legislature certificates, say | 16,000 |
| South-Carolina college, | 10,000 |
| Free schools, | 30,000 |
| Transient poor, Charleston, | 4,280 |
| Ditto ditto, Georgetown, | 500 |
| Interest on domestic debt, | 20,000 |
| Contingent accounts, say | 10,000 |
| | 146,780 |

Appropriations unpaid, which will probably be called for in the course of the next year.

| | |
|---|---|
| Munitions of war, | 46,845 |
| Gaol of Charleston, | 2,610 50 |
| Militia called into actual service, | 6,000 |
| J. T. Shubrick, | 800 |
| Magazine guard, Charleston Neck, | 8,000 |
| Additional pay to the officers of the 5th brigade, | 500 |
| Caruth and Thompson, | 10,000 |
| Francis Bremar, | 1,370 |
| Balance of contingent accounts, former years, say | 4,000 |
| | 80,625 50 |

This like all other statements, has relation to 1st October last.

Omission in Exhibit No. 10—Upper Division.

| | | |
|---|---|---|
| "Union."—Land tax and lot tax, | 228 | 85 |
| Slave tax, | 865 | 30 |
| Free negroes, | 4 | |
| Stock in trade, | 6 | 65 |
| Interest tax, | 16 | 74 |
| | 1,121 | 84 |

# Events of the War.

EDITORIAL REMARKS.—The present appears the most dreary sheet we have had yet to publish. The career of calamity seemed, for the moment, to overwhelm the soberness of reason, and place the mind in a state that has been aptly compared to the condition of "fishes frozen up in a pond." We have to record——

1. The evacuation of fort *George* with the burning of *Newark*. The former might be patiently borne; for courage and good conduct may restore the possession;—but to *burn a town* partakes so much of the character of the enemy, that we cannot cease to lament it for years, unless, indeed, gen. *M'Clure* shall advance some strong *military* reasons that may soften or excuse the act. It is a poor justification for us that the enemy, without reason, has destroyed several defenceless towns. We would not imitate him in his barbarisms. We have always held this testimony with one solitary exception; which was, that *scalp-buying Malden* should "be blotted from the map." But it may be right to learn more on the subject before we utterly condemn.—Let us hear what the officer has to say. He owes it to himself, and his country, to offer his reasons for the procedure. The account we have of it is "lame," and very unsatisfactory.

2. The exhibition of the "blue lights" on the heights of *New-London*, as detailed in commodore *Decatur's* letter—evidencing the blackest treason on the one hand, and a culpable desire to conceal the fact on the other, in too many persons.

3. The shipwreck of three very valuable vessels on the capes of Virginia, in a snow storm, during the night of the 20th ult. by which several persons were frozen to death.

4. The dreadful fire at *Portsmouth*, N. H. on the 22nd December—several hundred buildings being destroyed.

5. The invasion by the British from Fort *George*—the storming of Fort *Niagara*—the murder of many people—the burning of *Lewistown, Manchester, Tuscarora*—the desolation of the neighboring country—the loss of the public stores, of immense value, and

of individual property to a great amount—with a "fearful looking for" like incidents at *Buffalo* and *Black Rock*, where several U. S. vessels lie.——*But we will not despair of the republic.*

## MISCELLANEOUS.

DIRECT TAX.—A proposition to advance the state's quota of the direct tax of the United States, was agreed to in the house of representatives of *South-Carolina*, with only 2 or 3 dissentients.

RETALIATION.—The following resolution was presented to the house of representatives of *Pennsylvania*, by Mr. M'Coy, on the 13th ult. and being called up and considered some days after, was agreed to almost unanimously:

"Considering that the honor and power of the nation are pledged for the protection of every citizen in the enjoyment of his natural and political rights—That the integrity and existence of all governments are inseparably connected and that a violation of the one must ever tend to a dissolution of the other. Aware that a prompt retaliation of injury is the only alternative by which the national character can be sustained in conjunctures when the vindictive passions of our enemies impel them to a sacrifice of the usages of war and the rights of humanity. And considering that some of the gallant defenders of our country, who have been captured in honorable combat with the enemy, have been seized as traitors and thrown into prison, perhaps to languish out a painful existence of privation and disease, or to receive judgment and sentence from a tribunal where Power shall take the place of Justice, and Vengeance usurp the seat of Reason. We the senate and house of Representatives of the commonwealth of Pennsylvania, do adopt the following resolution.

*Resolved*, That we view with high approbation the decisive spirit and firmness which the national authority have manifested in securing hostages for the safety of those defenders of the republic who are threatened with the penalties of treason against Great Britain. And while we are deeply anxious that a sanguinary result may be averted and that the calamities of the war may be unembittered by wanton bloodshed or cruelty, we are nevertheless, prepared under all circumstances, to support our government in every measure of just retaliation to which it may be driven by the violence of the enemy."

THE MEDIATION.—The Philadelphia papers say that letters have been received from captain Lloyd Jones, of the U. S. ship Neptune, dated at St. Petersburg, September 15, which states that he intended to sail thence for *Gottenburg* in a few days; there to wait further orders from the American commissioners, in Russia. He did not think they had accomplished any thing.

It was reported at *Gottenburg* about the 23d of October, that lord Walpole had visited the emperor Alexander, and afterwards proceeded to St. Petersburg, to confer with the American envoys, who had remained in that city.

SHAMEFUL.—A copy of the embargo bill was received at *Boston* (a distance of 500 miles) before the injunction of secrecy was removed at *Washington*. The public safety demands that the person who communicated it should be discovered, and expelled.—He has violated his honor and his oath, and dare not be trusted; particularly in times like the present.

PENSACOLA.—A writer in a Tennessee paper says, Pensacola "is the hot-bed of corruption, the *Halifax* (for the British fleet) and the *Malden* (for the savages) of the southern part of our country."

MILITARY SUPPLIES.—The commissary-general of the United States at Philadelphia, advertises that he will receive proposals for supplies of muskets (and their appurtenances) rifles, sabres, swords, blue cloth, kersey, blankets, cotton drilling, stockings, flannels, muslin, shoes and boots, helmets and cap plates—"*all which must be American manufacture.*"

BATTLE OF THE BEAVER DAMS.—Colonel Bœrstler requests the public to suspend their opinion as to his conduct on the above occasion. As he intends to demand a legal investigation as soon as he shall be exchanged, and shall be enabled to have the evidence of the officers under his command on the day of battle; it would be both indelicate and improper to say any thing further on the subject at present. Colonel B. begs that all such editors of newspapers in the United States, as have published any thing relative to the battle of the Beaver Dams, will give the above an insertion. *Washington City, Dec. 22.*

Colonel M'Comb (says the *Columbian*) had been sent to Montreal for the purpose, as is understood, f confering with the British commander-in-chief, on the subject of the officers placed in close confinement as subjects of retaliation.

BRITISH GOODS.—"At the auction of English hardware goods in this town (says a Portsmouth, N. H. paper) on Wednesday last, a cask containing AWL BLADES and TACKS was sold for 23 dollars 89 cents the pound sterling—the value of the cask was about 5000 dollars."

QUEBEC, Dec. 7.—On Thursday evening were brought back to their old lodgings in the goal, the three American hostages, who, on the previous Saturday evening, made their escape from thence, viz. major C. Vandeventer, captain Isaac Roach, and lieutenant Sidney Smith. They were taken at the extreme part of Nouvelle-Beauce by a detachment of militia from that part of the country, commanded by captain Verreau, having under him lieutenant Rene.

## MILITARY.

FORT GEORGE AND NEWARK.—*From the National Intelligencer of Dec. 29*—"Accounts from Niagara have been received at the war office, stating that the enemy having approached fort George, brigadier general M'Clure had, on the tenth inst. removed the public stores, destroyed the fort, and retired to the south side of the Niagara river. It is also stated, that the village of Newark, adjoining fort George, had been burned. The general's motives for taking these steps, were to prevent the enemy from re-establishing themselves on the Niagara, and thus to give better protection to our own frontier and to the shipping on lake Erie, which he suspects to be the enemy's object, and which he states to be wintering at Buffalo.

The militia brigade forming the late garrison had refused to stay a day beyond their period of service, though the general had been authorized to offer them a bounty, and did actually offer it, for the service of an additional month. A previous call made in November for one thousand men had failed; a new one, directed by the governor, had not been executed; and the attempts made to embody volunteers, had not succeeded. The policy of burning Newark under the existing circumstances of the case, (taking for granted that it was done by design) is not perhaps to be defended. General M'Clure was not authorised to burn this village, unless it became necessary to do it in *defending* fort George. But, this fort destroyed and abandoned, the authority did not exist. Further explanations are, however, wanting before a correct opinion can be had."

*Fall of Fort Niagara, &c.*—On Wednesday last, we received intelligence by way of *Albany* which stated—that a considerable force of British and Indians crossed the Niagara river on the 19th of De-

cember, carried fort *Niagara* by storm, and *put the whole garrison to death*, except three who made their escape; that they had burnt *Lewiston*, *Manchester*, *Tuscarora*, and every building in their vicinity and also murdered many of the inhabitants. That they were proceeding to *Buffalo*, which with *Black Rock*, and the U. S. vessels lying there, would probably share the same fate. We have waited with exceeding anxiety to be further informed of these matters, but have received nothing positive. The above are *reports*; but we believe they are substantially true. It appears *certain* that the enemy did cross the river, and that the utmost consternation prevailed in the adjacent country. We have no reason to hope that they did not do as they pleased, for there was no force to resist them. The garrison at *Niagara*, it is supposed, did not consist of more than 300 men, the chief of whom were invalids. The citizens, adjacent to these calamitous events, were rallying themselves for defence. We fear their efforts will be unavailing to meet them promptly, by reason that the arms and ammunition may have chiefly fallen into the enemy's hands. This is, indeed, a terrible business. The loss, public and private, is incalculable; and where it will end, we presume not to calculate.

☞ See Post-script.

Col. Barclay.—Whole hosts of testimony are adduced in the papers to shew that col. *Barclay's* statements, inserted in the last number page 282, is a *pure* "British official"—about *as true* as that—a British force of 300 men defeated an American army of 8000; and then *eat* the whole of them, with their cannon, waggons and travelling forges!

"British official."—Sir *George Prevost's* strange statement (see page 285) is thus contradicted in a late *National Intelligencer*:—"We are authorized by capt. Todd of the 28th regiment, who was in gen. Harrison's staff at the time of the action on the Thames, to state that the second British bulletin relating to that action published in our last, is false in the following particulars: gen. Harrison's army took none of the British baggage on the 4th of the month, nor any until the day of action. The army was *not* harrassed on its return, by the Indians; nor was an hostile Indian seen after the action, although the troops remained two days upon the ground. It is admitted that the warriors under the eye of Tecumseh fought bravely; but the others fled as soon as they discovered that they were turned by the mounted regiment. The former order, published under the sanction of the British government, contained a misrepresentation or falsehood in almost every line. Capt. Todd avers, that the number of troops brought by gen. Harrison into action was inferior to what the general's official account makes them. The error arose from the rapidity of the pursuit, (having marched 80 miles in three days and a half) and the impossibility of ascertaining the numbers that were left from fatigue and sickness at the farm-houses upon the road. From the documents taken from the enemy, it would appear that their force was *at least equal* to ours."

*Washington City, Dec.* 28.—The Secretary of War reached this city on Friday.

On Thursday major-general *Harrison* departed hence for the north western frontier.

Many officers have recently arrived in this city from the northern army; among whom we have heard of major general *Hampton*, brig. gen. *Parker*, col. *Swift*, col. *Coles*, col. *Scott*, and col. *Pickens*.

NAVAL.

*Lake Ontario.*—A New-York paper states that 150 ship carpenters had proceeded from that city for *Sackett's Harbor*.

*Expedition.*—It is stated that one of the 74's now building, may be expected ready for sea by the 1st of June.

*The Policy*, a prize to the Essex, and two American ships from the South sea, with the privateer Rolla of Baltimore, have been captured by the enemy, to the eastward. But we have the pleasure to remark that several valuable vessels have lately got safe into port. The Loire frigate was supposed to be a South sea ship from the circumstance of her having the whale boats of the Policy hanging on her quarters, and the mistake was not discovered until she fired upon the Rolla, whose flag, however, did not come down until the frigate had discharged 140 shot and carried away one of the masts of the privateer.

CRUIZE OF THE CONGRESS.

The following (says the *National Intelligencer*) are the material circumstances which occurred during the vigilant and active cruize of the United States' ship Congress, captain Smith, which commenced on the 30th April and terminated on the 14th December.

His course was in a circuitous direction to the south east, crossing the equator, passing the north-east coast of Brazil, and thence homeward; in which a vast number of neutral vessels were brought to and examined, four valuable vessels of the enemy captured, but none of his cruizers seen from the 3d of May to the end of the cruize.

*Extract of a letter from captain John Smith, to the secretary of the navy, dated on board U. S. frigate Congress, Portsmouth harbor, Dec. 14th, 1813*

"I have the honor to communicate to you, the arrival, at this anchorage, of the United States' frigate Congress, under my command, whose daily situation during the cruize, I take the liberty of laying before you in the abstract from the ship's log, which accompanies this; in which there is accounted for, all vessels which were seen by us, from the period of our separation from the President, until our arrival at this place, with the exception of one brig, which twice escaped under the favor of dark nights, and whose great disance only enabled me to conjecture her to be an American privateer.

"The expiration of the term of service of the greater part of the crew of the Congress, I am concerned to advise you of; they have, nevertheless, for some months, been serving under those circumstances with the same zeal and activity I have always found them eminent for. Your sanction for their discharge, and order to replace their number, I shall be thankful for."

*Extract from the log book of the United States frigate Congress, John Smith, esq. commander.*

May 3. Lat. 40, 18, long. 44, 19, in chase of the British brig Curlew; saw at the same time to leeward a line of battle ship and a frigate. Lost sight of the chase during the night.

May 8. Lat. 37, 43, long. 37, 54, boarded the American ship Amiable Matilda, from New-York for Lisbon, in chase of which separated from the U. S. frigate President.

May 20, lat. 28, 9, long. 41, 49, captured the British brig Jean, of 10 guns and 17 men, lieutenant Moffit, master, belonging to Messrs. Cochrans' of Paisley, North Britain, from Buenos Ayres, bound to Greenock, 57 days out, cargo 6,758 hides, 100 packages of tallow and 140 pigs of copper, weight about 14 tons—after taking out the copper destroyed her.

May 22, lat. 23, 53, long 39, 59, captured the British brig Diana, of 10 guns and 14 men, George Thompson, master and owner, from Buenos Ayres, bound to London, 39 days out, cargo 6,050 hides, 239 bales of tallow and 7 b[illegible] [illegible] threw

over board all the cargo, except sufficient to make her safe to proceed to the West-Indies, and rendered her otherwise unfit for service.

May 24, lat. 20, 45, long. 38,32, put all the prisoners on board the Diana on parole, and furnished her for a passage to Barbadoes.

October 25, lat. 19, 19, long. 40, 4, captured the British ship Rose, Philip Vibert, master, from Guernsey, bound to Guadaloupe, laden with medoc wine and potatoes, took out 5700 gallons of wine, which we put in our water casks, and 35 hogsheads which we stowed in the hold, and 10 tons of potatoes, being all we could stow on board, and then destroyed her,—burthen 182 tons.

November, 9, lat. 25, 46, long. 43, 46, boarded the Spanish brig Amiable Maria, from Havana bound to Teneriffe; put on board of her, on their parole, the master, mate and supercargo of the late British ship Rose.

BLOCKADE OF NEW LONDON.

Com. Hardy, with the Ramillies, has taken the place of capt. Oliver and the Valiant. The latter has gone to port for repairs.

The British barges, off New-London, sometimes meet with the rubbers. In an attack upon an armed smack, some days ago, they were beaten off, with the reported loss of 8 men killed.

Mr. Penny, of Long Island, who, it will be recollected, was taken out of his bed by order of commodore Hardy, it is said, is to be immediately restored, by that officer. Of course the person who is held as a hostage for Mr. Penny will then be released.

A certain Mr. Lenter, "formerly a British officer, but more recently attached to the 23d U. S. regt." was apprehended on the 18th Dec. in attempting to escape to the British ship Valiant. He was detained on board one of the vessels of our squadron, but it is thought nothing can be proved against him sufficient to punish him.

*Extract of a letter to the editor of the Connecticut Herald, from an officer in the state corps, dated Killingsworth, Dec.* 14.

"Our engagements with the enemy have become so frequent, that it would be in vain to attempt to furnish a particular statement of each. That Killingsworth is to be the seat of war in the Sound, can no longer be doubted.

Yesterday, a sloop bound from N. York to Mystic River, having a valuable cargo on board, estimated at 5000 dollars, was chased on to the reef near the east point of the harbor by the British lugger Intrepid; but before the boats of the enemy had succeeded in getting possession of the vessel, we gave them *a plain statement of facts*, which convinced them they had got the wrong side of the Atlantic.—They left the vessel for the original owners to repossess at their pleasure. The vessel and cargo received no damage."

*The blue lights.*—The active treason and shameless effrontery exhibited in the following letter from com. *Decatur*, calls forth feelings that we shall not attempt to commit to paper.

*Extract of a letter from com. Stephen Decatur to the Secretary of the Navy, dated*

New-London, Dec. 20, 1813.

Some few nights since, the weather promised an opportunity for this squadron to get to sea, and it was said on shore that we intended to make the attempt. *In the course of the evening two blue lights were burnt on both the points at the harbor's mouth as signals to the enemy, and there is not a doubt, but that they have, by signals and otherwise, instantaneous information of our movements.* Great but unsuccessful exertions have been made to detect those who communicate with the enemy by signal. The editor of the New London Gazette, to alarm them and in the hope to prevent the repetition of these signals, stated in that newspaper, that they had been observed, and ventured to denounce those who had made them in animated and indignant terms. *The consequence is that he has incurred the express censure of some of his neighbors.* Notwithstanding these signals have been* REPEATED, *and have been seen by twenty persons at least in this squadron, there are men in New London who have the hardihood to affect to disbelieve it, and the effrontery to avow their disbelief.*

I am, sir, with the highest consideration and respect, your very obedient and humble servant,

(Signed) STEPHEN DECATUR.

*Hon. Wm. Jones, Secretary of the Navy.*

BLOCKADE OF THE CHESAPEAKE.

Eight or ten vessels passed safely to sea in the snow storm on the 20th ult. but the valuable schooners, Express and Reindeer, with the privateer Tartar (proceeding to an eastern port to fill up her crew) by the mismanagement of their pilots or the violence of the storm, went ashore on cape *Henry*, after clearing the British fleet in Lynnhaven Bay. These disasters happened about 8 o'clock in the evening—the night was dreadful—twelve persons perished with the cold and were lost from the vessels, for the sea broke over them in a terrible man-

* We insert the following notice of the transaction as alluded to by commodore *Decatur*, that the world may see the *offence* of the editor of the *New-London Gazette*, who is a decided "federalist:"

*From the New London Gazette.*

NEW-LONDON, Dec. 15.

"It will astonish every American who has one spark left to kindle into a flame the love of his country, when we state as a fact for which we vouch—that on Sunday evening last when the report was current our squadron would put to sea before the next morning—in the course of the night blue lights were raised on the heights, both at Groton and on this side of the entrance of our harbor; evidently designed as signals to the British fleet; this has excited the highest indignation, and the most decisive measures have been taken to detect and bring to condign punishment the traitorous wretches who dare thus to give the enemy every advantage over those great and gallant men, who in the war with Tripoli, and in the present contest, have surrounded the American stars with a lustre which cannot be eclipsed."

To complete the history of the "blue lights," we add the following, first published in the "Rhode Island American," and copied with great avidity (as below) into many gazettes. The infamous incident has been lustily denied by many; for it is feared the honest part of the community may reflect on the circumstance, and in it discover that wicked "British influence" that prevails in the United States. It is a mere sample of the paragraphs that have appeared in "*refutation*" of the charge——

"In our paper of Friday last we republished from the N. London Gazette, an account respecting the exhibition of blue lights, on the heights near that place, designed as signals to the enemy's fleet. We were unwilling to believe that any of our citizens could be guilty of so gross an outrage on the laws of their country; and are happy now to have it out power to state on the authority of a respectable paper published at Norwich, that the statement was TOTALLY INCORRECT. It appears that on the night of Sunday the 12th inst. blue lights *from the enemy's ships* were discernible from our guard-boats *but none were seen proceeding from the land.*"

ing. At the dawn of the day they received every possible assistance from a detachment of militia stationed on the shore. The British, at the same time, opened a cannonade upon them, by which a militia man was killed and one seaman wounded. The greater part of the cargoes of the vessels, and their equipments, was landed, amidst a heavy fire from the enemy, who finally succeeded in burning two of them, as it is supposed with the loss of several men, for they were gallantly resisted. The other is a wreck.

*Copy of a letter from captain Tarbell, commanding the gun-boat flotilla on the Norfolk station, to the secretary of the navy, dated*

Navy Yard, Gosport, Dec. 14, 1813.

SIR—Last Tuesday evening I got under way with nine gun-boats and two tenders, taking in tow the Centipede and launch. We proceeded up the bay as far as East river; at the entrance of which, it was reported, lay at anchor two gun-brigs, a schooner, cutter and tenders. Previous to our arrival they had moved up to Piankatank. The fog clearing, unfortunately our force was discovered by a frigate, who proceeded up, and exchanged signals with the brigs; after which, all came to anchor off Newpoint Light-house. On Sunday, sunset, we weighed, with a fair wind, and stood down the bay: at 1 A. M. between Back river and Oldpoint Light, sailing-master Joseph Middleton in the Dispatch, on the look out ahead was attacked by 8 barges; he beat them off; before we could get up the barges rowed in under the land where we lost sight of them; several shot-holes through the Dispatch's sails. We arrived off Crany island on Monday morning—all well.

I have the honor to be, &c.

JOS. TARBELL.

*The hon. William Jones.*

## American Prizes.

WEEKLY LIST—CONTINUED FROM PAGE 269.

"The winds and seas are Britain's wide domain,
"And not a sail, but by *permission* spreads!"
*British Naval Register.*

730. Brig Jean, from Buenos Ayres for Grenock, 10 guns, 17 men, laden with 6758 hides, 100 packages of tallow, and 14 tons of copper, captured by the Congress frigate, copper taken out and vessel destroyed.

731. Brig Diana, from the same for London, 10 guns, 14 men, laden with 6050 hides, 239 bales of tallow, &c. captured by the same; vessel and cargo destroyed as safety would permit, and then converted into a cartel to release the prisoners.

732. Ship Rose, from Guernsey for Guadaloupe, captured by the same, laden with Medoc wine—took out 5700 gallons and 35 hhds. and destroyed her.

☞We hope to hear something further of the prizes made by the Congress.

733. Brig ———, laden with rum, sent into Wilmington, N. C. by the letter of marque schooner Eliza.

734. Brig Agnes, in ballast, captured by the Saucy Jack, in her late cruize, and burnt.

735. Sloop John, with dry goods and provisions, taken by ditto; divested of her cargo and given up.

The Saucy Jack took several small British vessels, which the commander gave up "without ransom." Capt. *Chazel* despised the example of admiral *Cockburn*, and could not follow it, in destroying the little craft he fell in with. The privateer arrived at Charleston 10 or 12 days ago.

736. Brig Abel, from the West Indies, laden with rum and sugar, sent into North Carolina, by the Caroline of Baltimore.

## THE CHRONICLE.

Portsmouth, N. H. became a heap of ruins, by fire, in the night of 22d ult. The fire commenced in a barn (supposed to have been communicated by an incendiary,) and aided by a strong wind, spread destruction with unexampled rapidity. It began at half past 7 o'clock in the evening, and by 3 in the morning, from *three* to *four hundred* houses were consumed! No lives were lost. The value of the property destroyed is incalculable. Whole ranges of stores, with their rich contents, fell a prey to the flames. How great must be the distress! Let subscriptions be opened in all places, and the people give a little of what they can spare to relieve the pressure of this dreadful calamity. Many robberies were committed.

In 1802, Dec. 24, 118 buildings were destroyed by fire at Portsmouth; and on Dec. 24, 1806, 24 houses were burnt.

The brig New Hazard has arrived at Boston from Canton, with a full cargo of *teas, nankeens* and *china ware*. She will produce to her owners many hundred thousand dollars.

## POSTCRIPT.

*From the (Baltimore) Coffee House Books, Dec. 31.*

FOREIGN NEWS.

The British schooner Bramble, bearing a flag, arrived at Annapolis at 12 o'clock yesterday, in 42 days from Plymouth, Eng. which she left about the 20th of November, with dispatches for government. The Bramble was brought to on Sunday in Lynhaven bay by the Dragon, 74; and captain Wallace of the schr. Caroline of Philadelphia, was put on board as pilot, together with Mr. Sandels, a passenger in the Caroline, and Messrs. Rich of the Atalanta and Brethoff of the George of this port. Captain Wallace, to whom the public is indebted for this information, came up to this city last night; he was captured on his passage from Charleston to Philadelphia, off cape Henry, about 34 days since, and was detained on board the Dragon until Monday last.

Captain Wallace, who came up in the flag to Annapolis, copied the following summary from the Plymouth Telegraph, of Nov. 6, 1813, which he politely handed to us.

"Two letters from sir C. Stewart to the English government, dated 16th and 18th of October, the latter from Leipsic, contain details of two great battles fought on the 16th and 18th of Oct. in the former of which the French, under Ney, Marmont and Bertrand, were defeated with the loss of 12,000 men. The loss of the allies is stated at from 6 to 7,000. On the 18th a severe battle was fought near Leipsic, where the French were attacked throughout their whole line by the combined allied armies, and totally defeated, with the loss of upwards of 40,000 men in killed, wounded and prisoners, 65 pieces of cannon, besides the desertion of 17 battalions of German infantry, with all their staff and generals, who went over to the allies *en masse*. During the action the French lost generals Regnier, Vallery, Brune, Bertrand and Lauriston. On the 19th the town of Leipsic was taken by assault, with all its artillery, magazines, stores, with the king of Saxony and all his court, the garrison and rear-guard of the French army; upwards of 30,000 wounded. Bonaparte had only escaped from Leipsic at nine o'clock in the morning; the allies entered at eleven.

On the field of battle on the 19th, an officer arrived from general Tottenburn with information that Bremen had surrendered to the corps under his orders, the keys of which he brought, and they were presented by the prince royal to the emperor of

Russia. Bavaria has declared war against France. This fact is announced in the prince regent's speech to parliament on the 4th November.

Two French frigates had been sent into Plymouth about the 1st of November. Their names were the Weser and La Trave of 44 guns each.

In conversation with the bearer of the despatches in the Bramble, captain Wallace drew from him that they were of a pacific nature; but he said that nothing had been heard from St. Petersburg.

The Dragon 74 and a brig were the only vessels in Lynnhaven Bay on the 27th. Two frigates, with several tenders, left it the day before, supposed to have come up the bay.

London papers to the 14th Nov. were brought by the Bramble, but they were mostly taken on board the Dragon.

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*Extract of a letter from governor Tompkins to the secretary of war.*

Albany, December 24, 1813.

"Upon my arrival in this place to-day, I was met by an express bringing despatches, of which I send you a copy.

"The express further informs, that on his arrival at Batavia he learned from major Allen (the contractor's agent at Niagara) and from lieutenant Loomis, who, with two or three others had made their escape, that fort Niagara had been taken by the British. The garrison was *surprized*. Capt. Leonard (1st regiment of artillery) had the command; but it is rumored that he was not in the fort at the time, but with his family some miles off. What became of the rest of the garrison, those who escaped do not know.

"In consequence of this information, major-general Hall has been ordered to repair to that frontier with as many of his division as may be necessary to expel or destroy the invaders. The British have with them a number of indians, and continue to sanction their massacres."

*Extract of a letter from brigadier-general Timothy Hopkins, of the New-York militia, to Daniel D. Tomkins, commander-in-chief, &c.*

Head-Quarters, Buffalo, Dec. 20th, 1813.

SIR—I would respectfully represent to your excellency, that on the morning of yesterday, the enemy crossed over a little below Lewistown—they have burnt Lewistown, and every house from that place to within two and a half miles of Schlosser, and the Tuscarora village is also burnt.

The last express stated, that the enemy were fortifying on the mountain below Schlosser. The force of the enemy is differently represented—it is stated to be from four to eight hundred regulars, and six hundred indians—it is further stated that the enemy are still crossing. The force the enemy can bring is not precisely known, it is probably from 1500 to 3000, including regulars, militia and indians. Our force is about 200 regulars at fort Niagara, & about 150 near this place. I have ordered out my brigade to repel the invasion. I am in hopes of success with the assistance of the militia of Gennessee.

I am respectfully, &c.

TIMOTHY HOPKINS, Brig. Gen.

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The committee of foreign relations in the house of representatives, have at length reported two bills, in consonance to the message of the president recommending such measures; the one for prohibiting the delivery of cargoes of libelled vessels on bonds, pending their trial, to those who claim a right to them; and the other, a bill to prohibit the practice of ransoming vessels from the enemy. These bills are made the order of the day for Monday next.

## Duties on Importation & Tonnage.

TO THE SENATE OF THE UNITED STATES.

I transmit to the senate a report of the acting secretary of the treasury, complying with their resolution of the 13th instant.

JAMES MADISON.

*December 20th*, 1813.

TREASURY DEPARTMENT, Dec. 16th, 1813.

SIR—In compliance with the resolution of the senate of the 13th inst. I have the honor to state:

That the amount of duties accruing on goods, wares and merchandize imported into the United States, from the 1st day of July, 1812, to the 31st day of December, of the same year, for which period the accounts of the collectors of the customs are settled, was $9,869,199 31

And the amount of tonnage, including light money, accruing during the same period, was 92,297 70

$9,961,497 01

The accounts of the collectors from the 1st day of January, 1813, to the 30th day of September, of the same year, have been but partially settled; and some for the quarter ending 30th of September have not yet been received at the treasury. For this period, therefore, an estimate only can be given, taken from the accounts of the collectors, *as rendered* to the treasury, and in some cases from their less formal returns. This estimate is as follows:

Duties on goods, wares, and merchandise, as imported:

| | | |
|---|---|---|
| For the 1st quarter of the year 1813, | | $2,280,000 00 |
| 2d | do. | 2,356,000 00 |
| 3d | do. | 1,380,000 00 |
| | | $6,016,000 00 |

Tonnage duties, including light money:

| | | |
|---|---|---|
| For the 1st quarter of the year 1813, | | $89,000 00 |
| 2d | do. | 84,000 00 |
| 3d | do. | 67,000 00 |
| | | $240,000 00 |

The sums above stated, for duties on merchandise imported, are without the deduction for drawbacks paid on merchandize re-exported. These drawbacks paid from the 1st of July to the 31st of December, 1812, amounted, by the accounts as settled, to $639,555 44.

And they are estimated to have amounted during the three first quarters of the year, 1813, to the following sums, viz.

| | | |
|---|---|---|
| During the 1st quarter of the year 1813, to | | $536,000 00 |
| 2d | do. | 229,000 00 |
| 3d | do. | 148,000 00 |
| | | $913,000 00 |

I have the honor to be, with the highest respect, sir, your most obedient servant,

W. JONES,

*Acting Secretary of the Treasury.*

To the President of the United States.

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It is positively stated that lord *Wellington*, has crossed the Pyrenees, and established his head quarter at St. Jean de Luz, a town near the frontier, and has therefore, actually *invaded France*.

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☞Several interesting articles in type excluded.

# THE WEEKLY REGISTER.

No. 19 OF VOL. V.] BALTIMORE, SATURDAY, JANUARY 8, 1814. [WHOLE NO. 123.

*Hæc olim meminisse juvabit.*—VIRGIL.

Printed and published by H. NILES, South-st. next door to the Merchants' Coffee House, at $ 5 *per annum.*

## Attention invited.

The idea of increasing the matter of the REGISTER, as proposed in page 240, is reluctantly abandoned for the present. The editor believes he cannot pursue the project, without hazarding too much of his *interest* in this favored establishment.

But to accommodate his many friends who desire an increase of matter, he submits the following:

During the six or eight months last past, the quantity of matter laid off for insertion, has constantly accumulated. Much attention has been bestowed, in reading every thing, to present first such as the chain of events or circumstances of the times rendered *necessary*; and it is believed the arrangement has afforded considerable satisfaction. But many things of high interest to the studious reader or careful observer, have been omitted. They should not be lost. To describe these papers is impossible: and faith must be given to the editor's judgment by those who desire to have them, as proposed below. Every subscriber may obtain them if he pleases; but those who do not preserve the REGISTER or are not *curious* "in matters in general," will not require them. Assured from various causes, that sufficient encouragement will be affored to justify the attempt, it is proposed to publish A SUPPLEMENT TO THE PRESENT VOLUME, to contain at least *twelve* sheets, the charge for which will be *one dollar*: that is, *two sheets* more than the same money purchases of the regular work. This supplement to be put to press by the middle of *March* next, and published in about four weeks thereafter. *No more will be printed than are ordered*, except for the files the editor preserves for future disposal. The regular annual payment is due the last of next month, and those who wish the supplement, will, at the same time, advance the additional dollar; blank receipts for which will be forwarded to *all* the agents, as well to accommodate the subscribers who have paid the current year, as those who have not. *When the supplement is put to press the subscription for it must be closed.* The plan is respectfully offered to all, and none will complain if their own neglect should deprive them of a copy.

☞ As many of the subscribers live at too great a distance to be heard from in the space of time between the full period of payment, and that when the supplement must go to press, the bills will be forwarded to the agents early next month, and the settlement of them eight or ten days before their maturity, cannot be of importance to any. Gentlemen residing in places where there is no agent will please to forward their money and make known their wishes, by mail.

## Legislature of Kentucky.

MESSAGE OF THE GOVERNOR TO THE LEGISLATURE.

*Gentlemen of the Senate,*

*and of the House of Representatives.*

The constitutional period having again arrived, which makes it the duty of the governor to lay before the legislature information of the state of the commonwealth, and recommend for their consideration such measures as he may deem expedient.

In conformity with this part of my duty, and a recollection that the last general assembly felt a deep interest in the war in which the U. S. are now engaged having confided to the governor extensive powers and discretions as to the future military operations from this state; it may now perhaps be deemed my duty to state to your honorable body the steps that have been taken in succession, on the different requisitions that have been made upon this state for reinforcements to the north western army by the general government.

Under the act of the last session "authorising the governor of this state to raise and organize a detachment of militia" the most speedy and effectual measures were taken to comply with the views of the legislature, and the whole force contemplated by that act was organized and ready to take the field by the middle of March last. Previous to which a requisition for 1500 men had been made by major general Harrison upon this state to reinforce the north western army; and such arrangements for pay and subsistence having been made with the proper officers before their march, as to render any advance from the treasury of this state, as contemplated by the said act unnecessary; that force was ordered on under the command of brig. gen. Green Clay, to the head quarters of the north western army. Great part of this detachment was unfortunate, but the other part was of immense importance in assisting to repel the enemy from the siege which they had commenced upon fort Meigs, and by maintaining that post during the season against the numerous hordes of savages and British that had determined upon its reduction.

Not long after the aforesaid detachment had marched, a further requisition was received from the commander in chief of the north western army for 1500 men to reinforce the posts on the frontiers. In consequence of this request, I gave orders for the two remaining regiments of the organized militia under the act of the third of February last, to rendezvous at Georgetown on the second day of May following. But previous to their arrival at the point of rendezvous, I received a letter from major general Harrison, "requesting me to suspend any measures that might have been commenced to furnish further reinforcements to his army, unless I had received instructions to that effect from the secretary of war." No such instructions having reached me, the troops then on their march to the place of general rendezvous were at once discharged, from the consideration that they had been long held in a state of suspense; that they had at a great expence to equip themselves for a tour of six months' service, and the season of the year had arrived which rendered it proper for them to engage in some useful employment, I thought it would be unreasonable to hold them longer in that state of uncertainty, more especially, as by that time I had reason to believe that it was not intended to use any more militia in that quarter. I directed the disbanding of those two regiments, under the powers vested in me by the aforesaid act. The lengthy communications in the office of state, relative to those two requisitions of the militia from Kentucky, can be referred to for

any further information which the general assembly may deem necessary. No further calls were made upon Kentucky until the latter end of July, at which time I received a letter from gen. Harrison, requesting me to send a reinforcement of militia to his aid, of not less than 400 nor more than 2000 men. In addition to this, major Trimble, his aid-de-camp who was the bearer thereof, was instructed to make certain verbal communications to me. One of which was, that gen. Harrison would accept the further force of 1500 volunteers, if they could be marched to his aid speedily. Taking the whole requisitions into view, it was at once evident to my mind, that it only could be complied with to answer the purpose, by an appeal to the patriotism of my fellow-citizens to volunteer their services as mounted men for that period; and under the impression that this course was most suitable to the genius of my countrymen, I was induced to issue a proclamation of the 31st July last: and in pursuance thereof, a force about equal to both gen. Harrison's requisitions assembled at Newport on the 31st Aug. following.—And although I had given the earliest intimation to the secretary of war of the steps that I was about to take to comply with gen. Harrison's requisition, and was anxious to know the pleasure of the president, with respect to the course I adopted before the volunteers passed the limits of the state, no information was received on that head until after my return from the campaign. But as this seemed to be the only occasion by which I could meet the wishes of the legislature as expressed in their resolution of the 3d Feb. last, "requesting the governor to take command of the militia when called into the service of the United States," I determined to proceed to the head-quarters of the north western army, relying upon the requisition of the commanding general as being sufficient to warrant the march of the volunteers.

The campaign, under the guidance of a gracious and overruling Providence terminated favorably to our arms. To say nothing of the destruction of public property, and of the immense stores of arms and munitions of war taken by our army from the enemy, it has added to the United States an extent of territory of great value; which, if not surrendered to the enemy upon a general peace, will forever put to silence our savage foes, that have so long infested the western country; they being now completely severed from British influence.

On my return to Kentucky, I received a letter from the war office, informing me "that the president had been pleased to approve of my arrangements in substituting volunteers for the militia required by gen. Harrison." The documents herewith transmitted, marked 1, 2, 3, 4, 5 and 6, will afford the legislature all the information necessary on the subject.

At an early period in the spring, information was received, that great apprehensions were entertained by the inhabitants of Livingston and Caldwell counties, of an attack from the hostile Indians that hovered round their frontiers: In consequence of which, orders were issued for a small guard for a short period, for their protection. It will be proper for the legislature to make such appropriations for the payment of this service, as their wisdom may direct. The documents marked 7, 8, 9 and 10, herewith forwarded, will afford the information necessary to judge of the propriety of the steps I had taken.

During the last session of congress, that body proceeded to pass sundry laws for the purpose of raising a revenue suited to a state of war: In the act laying a direct tax, the privilege is reserved to each state, of making the payment of its quota thereof, with a deduction of fifteen per centum, if paid before the 10th day of February next; or of ten per centum if paid before the 1st of May following.

This subject will no doubt receive the early attention of the general assembly; and such measures will be adopted in relation thereto, as they shall deem most consistent with the interest of the people.

You may be assured, gentlemen, of my hearty co-operation in all your labors that may have a tendency to promote the public good.

ISAAC SHELBY.

*Frankfort, December 7, 1813.*

Another message was received from the governor enclosing a letter from the secretary of state, which follows. The message itself recommends that rooms should be allowed the British prisoners in the penitentiary for their close confinement, according to the president's directions. The governor in his letter makes this remark: "Whilst the generous mind will deeply regret the occasion for such a measure, it will be recollected, that it has been forced upon us by the conduct of the enemy who during this war, have disregarded the usages of civilized hostility."

*Extract of a letter from the secretary of the department of state, to the governor of Kentucky.*

Department of State, Nov. 27, 1813.

"SIR—The British government seems to have given to this war, every degree of savage barbarity and cruelty which it may be able to inflict. In the close of the late campaign the British commanders at Quebec, seized and sent to England twenty-three of our soldiers who had been made prisoners, to be tried for treason, on the pretence that they were British subjects. For so unjust, and outrageous an act, the president was bound to confine a like number of British prisoners in the United States, which he did in the expectation, that the British government seeing the inevitable consequence of the first measure, would relax from it, or at least leave the affair in the state in which it had thus been placed, for accommodation by treaty. More recently, however, a measure of still greater injustice has been adopted. The prince regent has ordered into close confinement forty-six officers of the United States, upon the principle, as he says, of retaliation, expecting by the violence of the proceeding to intimidate this government into a submission to the extravagant and unfounded claims of the British government. The president has met this measure with equal decision, by ordering into like confinement forty-six British officers, as a pledge for the safety of those on whom the British government seems disposed to wreck its vengeance.

"These officers are ordered to be conveyed to Frankfort in Kentucky to be confined there in the penitentiary of that state, which is represented to be a building affording the twofold advantage of *good* and *safe* accommodation.

"This step is taken in the full confidence that every facility will be afforded to its complete execution by your excellency, that may be expected from a character so strongly attached to the union, and decided in the support of all the necessary measures to secure success to the just war in which we are engaged."

## Internal Navigation.

IN THE HOUSE OF REPRESENTATIVES.

On Monday, the 20th December, Mr. Ingersoll, from the committee to whom the subject was referred, made the following report:

The committee, to whom was referred the consideration of the memorial and petition of the president and directors of the Chesapeake and Delaware Canal Company, beg leave to REPORT:

That so long ago as in the year 1765, surveys and other preparations were made for undertaking this important national improvement of which the practicability is so obvious from the proximity of the waters of the Chesapeake and Delaware and the nature of the intermediate ground, that even at that early day, certain individuals were prompted to make the attempt.

That in the year 1799 the legislature of the state of Maryland enacted a law, which was followed up, in the year 1801, by corresponding laws enacted by the legislatures of Delaware and Pennsylvania, providing for the incorporation of a company with a capital stock of $400,000, for the purpose of cutting and making a canal between the river Delaware and the Chesapeake bay; in pursuance of which acts of incorporation subscriptions were received for nearly the whole amount of the two thousand shares, at $200 each, surveys were made, engineers and workmen employed, a route and position located for the canal on the isthmus which separates the bays of Chesapeake and Delaware, and some material progress effected in the execution of the work. But after expending upwards of $100,000 in the purchase of water-rights, the construction of a feeder and reservoir, and digging some portion of the canal, the work was suspended in the year 1803, in consequence of the non-payment of subscriptions, the evidence daily accumulating, that $400,000, the whole amount subscribed, even if collected, was a sum inadequate to the completion of the canal, and of that depression of the funds and spirit of the company which were superinduced by the absence of public support and encouragement from the individual enterprize which had so far carried on the undertaking. Since that time the subject has been under consideration in congress, bills in various shapes have been acted on in the senate for extending national aid to this great national work, and on the 3d day of March, 1811, the last day of the last session of the eleventh congress, a bill, which came from the senate, appropriating two hundred thousand acres of public lands for this object was indefinitely postponed in the house of representatives, rather, as this committee have been taught to believe, from the lateness of the period at which the subject was brought before the house of representatives, than from any indisposition on their part to accede to the liberal provision proposed by the senate.

That conceiving the present to be a moment when the importance of such a canal will probably be appreciated as it ought to be, your committee beg leave to enumerate briefly some of the most prominent advantages to be derived from it:

By connecting the waters of the Chesapeake and Delaware, the contemplated canal will throw open an internal navigation from the north-western parts of the state of New-York to the southern extremities of the state of Virginia.

Besides the contributions which such a course of internal navigation would afford to the sustenance of the community, and to an export trade, in the products of the earth, which it would transport from all the various regions it must connect together, it would moreover supply the coal from the banks of the James river and the Susquehannah, to the cities and settlements along the Atlantic coast, thus substituting a cheap and inexhaustible species of fuel for the wood of which the country is deprived, and of which the price already constitutes so large a drain upon the resources of the poor and manufacturing classes.

The extensive beds of plaster of Paris and other useful substances, which are said to exist on the shores of the Susquehannah, and of which the want is now so severely felt in other places, might be carried into active usefulness throughout some of the most agricultural districts of the union.

The transportation of merchandize, of all kinds of articles of food, clothing and necessity, of almost every thing which the north, middle and south interchange, would be facilitated in point of price, time and safety, to a great amount. Your committee are informed that at this time government is compelled to convey by land in the winter season, over the portage from the Chesapeake to the Delaware (a road rendered almost impassable by land carriage) the most bulky pieces of timber for the ship of the line building at Philadelphia, and that the expence of the conveyance over this small distance is enormous.

In the reduction of the time, labor and cost of all military transportation, whether of men or things, the importance of the Chesapeake and Delaware canal is inestimable; and desirable as such an improvement may be in time of war, its uses would be no less extensively beneficial in time of peace.

That essential as such a canal is at this juncture, and advantageous as it would be at all times, the motives to its undertaking are increased by the facility and shortness of time with which it may be undoubtedly accomplished.

The canal begins at Welch Point on the Elk river an arm of the Chesapeake, and is to terminate at a distance of twenty-two miles, on Christiana river, a branch of the Delaware. At low water the depth of water in Christiana is nine feet and in Elk twelve feet, within one hundred feet from the shore. The tide rises four feet in both rivers. The highest intermediate ground, over which the canal is to be carried on a level of thirteen miles in length, is seventy-four feet above tide water, the descent is to be effected by nine locks on each side. The digging is generally easy. No expensive aqueducts nor bridges nor any other obstacles occur but those which have been already overcome in digging the feeder through a rocky soil. The supply of water drawn from Elk river, by a feeder six miles in length, which is completed, and which is itself a boat canal three and a half feet deep, united by a lock of ten feet high to the main canal is calculated to fill daily one hundred and forty-four locks; a quantity sufficient on an average for the daily passage of twenty-four vessels. The canal is twenty-six feet wide at the bottom, and fifty at the top on the water line, being dug at the depth of eight feet. It is intended for vessels of from forty to seventy tons, drawing seven and a half feet water. The banks twenty feet wide for towing paths, one of which may be converted into a turnpike road, being raised three feet above the level of the water will, by increasing the heighth of the lock gates one foot, admit a depth of nine feet water, in the canal. The digging one mile through rocky ground cost $15,000; another mile perfectly level and without any impediments, cost $2,300, which gives an average of $7,650 a mile. The whole distance to be cut is twenty-two miles; the whole computed cost at $850,000. Of this sum $100,000 has been laid out. The sum solicited by public contribution is $287,000. Of this sum the state of Pennsylvania contributes $75,000, to be reimbursed by three hundred and seventy-five shares of the stock; the state of Maryland contributes $50,000, to be reimbursed by two hundred and fifty shares of the stock; and the state of Delaware 12,000 dolls. to be

reimbursed by sixty shares of the stock. The sum solicited of congress is 150,000 dolls. to be reimbursed by seven hundred and fifty shares of the stock. With public assistance to such an amount the president and directors of this canal calculate on individual contributions and private loans, sufficient to complete the work in a short time.

The states of Maryland, Delaware and Pennsylvania, which are most immediately interested in this public improvement, having given their consent and co-operation to the work; your committee, in behalf of the national legislature, beg leave to report the following bill for bestowing the aid required of the United States.

[Mr. Ingersoll then laid on the table a bill authorising the secretary of the treasury to subscribe, on behalf of the United States 750 shares in the capital stock of said company; which bill was twice read and committed to a committee of the whole house.]

## General Smyth's Petition.

The following is a copy of the memorial of Alexander Smyth, laid before the house of representatives on Tuesday, the 28th of December, and by that body referred to the secretary of war.

*To the honorable the senate and house of representatives of the United States in congress assembled:*

The petition of Alexander Smyth, a citizen of Virginia, respectfully represents—That having in 1807 written to an honorable member of the house of representatives, that in case of war with Great Britain he was desirous to enter into the regular service, he received in 1808 an appointment as colonel of a regiment of riflemen. That although war had not commenced, yet the event being probable, he abandoned his profession, which was then lucrative, left his family, vacated his seat in the senate of Virginia as the representative of thirteen counties, and joined the army of the United States. That your petitioner had the good fortune to give the utmost satisfaction to his superiors, general Wilkinson, general Hampton, general Dearborn, and the late secretary of war, while acting under their immediate orders; was promoted to the rank of brigadier and inspector general in July 1812; given the command of a brigade in September; and of one of the armies of the United States in October in the same year. That at the expiration of five weeks, during which period he made every exertion in his power to serve the nation, he found it necessary to put his troops into winter quarters. Having determined on that measure, as your petitioner had been absent from his home the last eight winters, much the greater part of the last five years, and the whole of the last fourteen months, and had been refused leave to visit his family in the month of July preceding, and calculating that it was probable the campaign of 1813 might terminate his existence, he, without resigning his command, asked for leave of absence, which was granted until the 1st of March, 1813, at which time your petitioner was ordered to report himself to the secretary of war. That your petitioner left his troops in cantonments, under the command of an officer of thirty-six years experience, and in February, 1813, reported himself by letter to the secretary of war, and solicited orders; and as the failure of your petitioner to take fort George, York and Kingston, and to winter in Canada as he was instructed, had created some clamor, your petitioner proposed that an enquiry into his conduct should take place, which the honorable secretary, through the medium of the adjutant-general, was pleased to promise; since which time your petitioner has not had the honor to hear from the war-office.

Your petitioner would further represent, that he has heard that some members of your honorable body are of opinion, that by an act of the last session, regulating the staff of the army of the United States, your petitioner has become a private citizen; and with this opinion, his own might, perhaps accord, were it not impossible to believe that the congress of the United States, at their last session, could have intentionally committed an act of injustice.

Your petitioner affirms that he has not done or omitted any thing to the injury of the nation; that his chief, if not his only error, has consisted in expressing too freely his indignation against those who had done injuries, or omitted to perform duties, to the nation. The motives which led astray, he conceives might procure for this error forgiveness. That this affirmation is true, he believes he can satisfy a committee or committees of your honorable body, on short notice.

Your petitioner has essayed to engage again in the pursuits of civil life; but he finds that, while the din of war continues, it is impossible for him to give the necessary attention to any peaceful pursuit. He desires to serve, to die, if Heaven wills it, in the defence of his country; a country that has protected his infancy, given him a family, and at times distinguished him with considerable honors; from whose government no act of wrong, personal to himself, will force his esteem, while it maintains, with steady perseverance, that country's rights.

Your petitioner confidently trusts, that in deciding on his prayer you will be mindful of the rule of justice—To others do, the law is not severe, what to thyself thou wishest to be done; and of the rule of policy, 'The social body is oppressed, when one of its members is oppressed.'

The prayer of your petitioner is, that you will revise the act organizing the staff of the army of the United States, and by a declaratory act preserve the rank of your petitioner, as a brigadier-general in the line, abolishing only his authority as inspector-general, &c. And your petitioner, &c.

ALEXANDER SMYTH.

## The Prince Regent's Speech.

*My Lords and Gentlemen,*

It is with the deepest regret that I am again obliged to announce to you the continuance of his majesty's lamented indisposition.

The great and splendid successes with which it has pleased Divine Providence to bless his majesty's arms and those of his allies, in the course of the present campaign, has been productive of the most important consequences to Europe.

In Spain, the glorious and decisive victory, obtained near Vittoria, has been followed by the advance of the allied forces to the Pyrennees, by the repulse of the enemy in every attempt to regain the ground he had been compelled to abandon, by the reduction of the fortress of St. Sebastian's, and finally, by the establishment of the allied army on the frontier of France.

In this series of brilliant operations you will have observed, with the highest satisfaction, the consummate skill and ability of the great commander field-marshal Wellington and the steadiness and unconquerable spirit which have been equally displayed by the troops of the three nations united under his command.

The termination of the armistice in the north of Europe, and the declaration of war by the emperor of Austria against France, have been most happily

accompanied by a system of cordial union and concert amongst the allied powers.

The effects of this union have even surpassed those expectations, which it was calculated to excite.

By the signal victories obtained over the French armies in Silesia, at Culm and Denevitz, the efforts of the enemy to penetrate into the heart of the Austrian and Prussian territories were completely frustrated.

These successes have been followed by a course of operations, combined with so much judgment, and executed with such consummate prudence, vigor and ability, as to have led in their result, not only to the discomfiture of all those projects which the ruler of France had so presumptuously announced on the renewal of the contest, but to the capture and destruction of the greater part of the army under his immediate command.

The annals of Europe afford no example of victories more splendid and decisive than those which have been recently achieved in Saxony.

Whilst the perseverance and gallantry displayed by the allied forces of every description engaged in this conflict, have exalted to the highest pitch of glory their military character, you will, I am persuaded, agree with me in rendering the full tribute of applause to those sovereigns and princes, who, in this sacred cause of national independence, have so eminently distinguished themselves as the leaders of the armies of their respective nations.

With such a prospect before you, I am satisfied I may rely with the greatest confidence on your dispositions to enable me to afford the necessary assistance in support of a system of alliance, which originating chiefly in the magnanimous and disinterested views of the emperor of Russia, and followed up as it has been with corresponding energy by the other allied powers, has produced a change the most momentous in the affairs of the continent.

I shall direct copies of the several conventions which I have concluded with the northern powers, to be laid before you, as soon as the ratifications of them shall have been duly exchanged.

I have further to acquaint you, that I have concluded a treaty of alliance and concert with the emperor of Austria, and that the powerful league already formed, has received an important addition of force by the declaration of Bavaria against France.

I am confident you will view with particular satisfaction, the renewal of the ancient connection with the Austrian government; and that, justly appreciating all the value of the accession of that great power to the common cause, you will be prepared, as far as circumstances will permit, to enable me to support his imperial majesty in the vigorous prosecution of the contest.

The war between this country and the United States of America still continues; but I have the satisfaction to inform you, that the measures adopted by the government of the United States for the conquest of Canada have been frustrated by the valor of his majesty's troops, and by the zeal and loyalty of his American subjects.

Whilst Great Britain, in conjunction with her allies, is exerting her utmost strength again the common enemy of independent nations, it must be a matter of deep regret to find an additional enemy in the government of a country, whose real interest in the issue of this great contest must be the same as our own.

It is known to the world that this country was not the aggressor in this war.

I have not hitherto seen any disposition on the part of the government of the United States to close it, of which I could avail myself consistently with a due attention to the interests of his majesty's subjects.

I am at all times ready to enter into discussions with that government for a conciliatory adjustment of the differences between the two countries, upon principles of perfect reciprocity not inconsistent with the established maxims of public law, and with the maritime rights of the British empire.

*Gentlemen of the House of Commons,*

I have directed the estimates for the services of the ensuing year to be laid before you.

I regret the necessity of so large an expenditure, which, I am confident, however, you will judge to be unavoidable, when the extent and nature of our military exertions are considered.

I entertain no doubt of your readiness to furnish such supplies as the public service may require.

I congratulate you on the improved and flourishing state of our commerce; and I trust that the abundant harvest which we have received from the bountiful hand of Providence during the present year will afford material relief to his majesty's people, and produce a considerable augmentation in many branches of the revenue.

*My Lords and Gentlemen,*

I congratulate you on the decided conviction which now happily prevails throughout so large a portion of Europe that the war in which the allied powers are engaged against the ruler of France is a war of necessity; and that his views of universal dominion can only be defeated by combined and determined resistance.

The public spirit and national enthusiasm which have successively accomplished the deliverance of the kingdoms of Spain and Portugal, and of the Russian empire, now equally animate the German people; and we may justly entertain the fullest confidence that the same perseverance on their part will ultimately lead to the same glorious result.

I cannot but deplore most deeply the continuance of this extended warfare and of all those miseries which the insatiable ambition of the ruler of France has so long inflicted upon Europe.

No disposition to require from France sacrifices of any description inconsistent with her honor or just pretensions as a nation will ever be on my part, or on that of his majesty's allies, an obstacle to peace.

The restoration of that great blessing upon principles of justice and equality has never ceased to be my anxious wish; but I am fully convinced that it can only be obtained by a continuance of those efforts which have already delivered so large a part of Europe from the power of the enemy.

To the firmness and perseverance of this country, these advantages may in a great degree be ascribed. Let this consideration animate us to new exertions, and we shall thus, I trust be enabled to bring this long and arduous contest to a conclusion which will be consistent with the independence of all the nations engaged in it, and with the general security of Europe.

# Events of the War.

## MISCELLANEOUS.

MONOPOLY.—There are many reasons to apprehend that the late great speculations in coffee, sugar, tea, &c. ORIGINATED in a *political intrigue* of the enemy or his adherents; and in a country where so much depends on the *feelings* of the people as in the United States, a powerful diversion might have been expected—for it really appears hard, at once to forego the many luxuries we rioted in, or pay the

present unconscionable prices for them. But to the great credit of the citizens of the union, instead of venting their indignation against the *government*, AS WAS EXPECTED, they have run foul of the *speculators*, and wish them every thing else—than their benefit. Thousands have adopted substitutes for them. Tens of thousands curtail the use of them to one half of the quantity hitherto consumed; and a vast number discard them altogether. Those who believed that the spirit of the American people would fail for the want of *sugar*, *tea* and *coffee*, were shallow politicians. Yet they succeeded in raising the market, and have have drawn into the vortex many innocent and worthy men. *Ruin will follow;* and the calamities incident thereunto will, more or less, aid the enemy. For it is impossible to suppose that coffee will stand at 38 cents *per lb.* tea at 3 or 4$ and sugar at $40 *per cwt.** For the first and second we have many substitutes equally palatable when familiarized by a little habit, and the use of the latter may be retrenched three-fourths without injuring the *health* of *one* person. But of coffee we have an immense supply. In one *Boston* paper no less than *twenty-five hundred and fifty tons* (5,712,000 lbs.) is offered for sale, and every city is equally full of it. It would not be above the mark if we were to say that *Boston*, *New-York*, *Philadelphia* and *Baltimore* now have from forty to fifty millions of pounds of coffee on hand†—the lesser ports have proportionate parcels; of teas, also, there is a large stock—the supply of sugar is less, but there is great deal of that; and *Louisiana*, by internal navigation, will send us vast quantities in the spring.

RUMORS OF PEACE.—What is, *in extenso*, the amount of the despatch lately received from the British ministry, we can only gather from the statement and rumors below. They have had powerful effects among the speculations—few large sales have been since made of foreign goods, and flour has advanced several dollars a barrel. Some, who pretend to know a great deal, apprehend an immediate settlement of our differences with *Great Britain*—others think the whole a mere *ruse de guerre* to paralize the measures of government. We learn that the Bramble is to wait for an answer until the *Neptune* arrives.

*Since writing the above we have the following: *New-York, January* 4.—The news per the Bramble has had an inconceivable effect upon our market. An immense deal of property was yesterday literally thrown under the hammer, and knocked down at the following prices: coffee at 23 cents; sugar at $22 50 per cwt. hyson tea at $1 94 per lb. souchong at $1 50, salt 87 1-2 cents per bushel and other articles in proportion! To what madness has the rage of speculation driven thousands, who *now*, with equal folly are making unnecessary sacrifices. The public *know not* the cause. All is conjecture and report.

† This is not mere assertion. I have many reasons to believe the amount is less than the truth. The consumption of coffee in the United States, when it was cheapest and most generally used, has not exceeded thirteen millions of pounds *per annum*, if it were so much. With the *present* habits of the people, ten millions a year is an *ample* supply, and that may be, and will be, if the price should stand as it is, reduced more than one half. Wheat, rye, barley, chesnuts, potatoes, &c. &c. all make a liquor resembling coffee, as useful and quite as wholesome. The estimate of the *consumption* is founded on official documents. But the *peace rumors*, with the folly of the thing itself, has knocked it down, as well as sugar and tea. It has fallen more than 33 per cent. in some places.

*From the National Intelligencer of Jan.* 1.

FROM BRITAIN.—Various rumors were in circulation during the whole of yesterday respecting propositions which are said to have been made to our government by the government of Great Britain, relating to an accommodation of differences between the two countries. We have made inquiry into the foundation of these reports, in the hope of being able to present to the public a correct account of them. We regret that it is not yet fully in our power. The following facts we believe may be relied on; that a flag of truce has arrived from England, at Annapolis, with a despatch from the British minister to the secretary of state, bearing date early in November, which although it contains no distinct proposition, may be considered as rather of a pacific character. It is said that the British minister speaks in this despatch of a communication to the Russian government, and, through it, with our envoys at St. Petersburgh, relating to a negociation to be entered into between the United States and Great Britain for peace; but that no document, either from the Russian government or our envoys, in reply thereto, has been forwarded. Under such circumstances, it would seem to be impossible for our government justly to appreciate the real object or intentions of the British government. Their letter relating to despatches from our envoys might have been written on the presumption that those despatches had already reached our government. We must therefore await further arrivals before we can form any correct idea of their import. If, as we have reason to believe, the Neptune, which took our ministers to St. Petersburgh, was to leave the Baltic in the latter end of October with despatches for the United States, all doubt or uncertainty on this important subject will soon be removed.

*From the Federal Republican of Jan.* 3.

"Nothing decisive will be done by our government towards an accommodation with Great Britain, until Mr. Madison is satisfied that the power of France is at end. Whenever he is so satisfied, we have not a doubt a treaty of amity and commerce will be negociated with Great Britain. *France forced us into this war;* and while she is able to apply the force to keep us in it, there is no hope of our getting out of it. If the news brought by the flag of truce to Annapolis is to be relied on, or is shortly confirmed, we believe a minister will be sent to London or a negociation will be opened here for a peace, as soon as the necessary arrangements can be made.

"We subjoin the remarks of the court paper upon the despatch from lord Castlereagh.* They are official and very nearly in the same words that Mr. Madison has been heard to express himself in conversation on the same subject. *What can be more generous, more noble, more magnanimous than a proposition for peace from England at such a time, and under the new and glorious circumstances of her affairs in the old world.* She seems disposed to treat us as a parent endeavoring to reclaim his prodigal son. If England entertained the views and feeling towards this nation, which a majority of the people have been made to believe by their deceivers, is it possible at the very moment when all power is about to center itself in her hands, and when the difficulties and embarrassments of our government, and their disgraceful failures are every where known and visible, is it possible she would let us escape without grinding us to dust for our co-operation with France, in the attempts to destroy her? *Magnanimous nation!* far different are her feelings towards us, not-

*Meaning, we presume, the *National Intelligencer* and the remarks preceding. ED. REG.

withstanding the antipathies which Jefferson and his disciples have produced in the minds of the ignorant or interested against her. We are perfectly convinced Great Britain will give us the same terms, and as good terms when successful and beyond the reach of danger, that she would, when pressed with difficulties and surrounded with danger—nay better terms. Such is the nature of true courage, which is always generous."

*An extract of a letter says*—"Our commissioners have been met in Russia—afforded on two points, which are referred to the respective governments, and lord Castlereagh has communicated these two points to our government."

*From the Baltimore Whig of January 5.*

"From a highly respectable and authentic source at Washington, we last evening learned that the communication from lord Castlereagh to Mr. Secretary Monroe, by the Bramble, amounts, in truth, to nothing, *if not worse than nothing*. It is strongly believed, that the enemy calculated the despatch would reach here the first week after the meeting of congress, and would have the effect to paralyze the proceedings of that body. The British cabinet supposed that the flag with the despatch would present to this nation the appearance of an anxious desire on their part for peace, and would prevent the adoption by congress of any restrictive measure on commercial operations. In short, the flag was intended to throw a spirit of relaxation into our political system, to damp the recruiting service, to divide and distract the friends of the war and the government."

*From the Baltimore Federal Gazette.*

"We congratulate our readers on the prospect of such arrangements being contemplated as will probably lead to a speedy *peace*. This measure, so desirable, and *now* so anxiously looked for by all classes, we think we have just reasons for stating, is contemplated by our government, as likely to be soon effected.

Our correspondent at Washington assures us, that it is confidently expected, the president will in a few days nominate to the senate, a person to be appointed minister plenipotentiary on the part of the United States to treat with Great Britain; that it is understood the British government have evinced a desire to make such arrangements with respect to the existing differences as our government may, without prejudice to the question of right, or injury to our national honor, accept; and that our government, in the liberal spirit of accommodation and a desire (as the friends of administration say) to put an end to the evils resulting from a state of war, are inclined to meet the proposal, and waving minor difficulties, to submit all matters in dispute to an immediate negociation.

The source from which our correspondent obtains his information, he assures me may be relied on; and, although we confess our wishes may influence our opinion on the subject, we do not hesitate to recommend it to the belief of our readers."

[Such is the substance of the many rumors. One report says that Mr. *King*, of the senate, is *nominated* as our minister on the occasion. See postscript.

Steam vessel of war.—A number of influential and patriotic gentlemen of the city of New-York assembled a few days ago at the house of Robert Fulton, Esq. to investigate the principles and utility of *a steam vessel of war* invented by that gentleman. After examining the plan and hearing the reasons submitted, they immediately adopted measures to raise $120,000 for the purpose of giving a trial to the experiment, proposing to build one to carry 24 long 24 pounders to aid in the defence of that city.

The enemy.—A *Philadelphia* paper says that Mr. M'Cauley's extensive manufactory of floor cloths, was clandestinely entered some time ago, and several of the largest pieces of cloth maliciously cut and destroyed. The like happens in other places. A very ingenious artist in *Baltimore*, after great labor in preparing his loom, is now weaving shawls called "Cashmere" for which he expects to receive $ 10 each. The editor was invited to see him at work a few days since, and, while he admired the curious apparatus and elegant workmanship, he indignantly learnt that the first shawl completed had been wantonly destroyed by some person unknown. These things should put our manufacturers on their guard. They are the petit war of the enemy.

Commerce.—From the 1st to the 24th Dec. 1813, 44 sail of vessels cleared and sailed from Boston for foreign ports. Only 5 of this number were Americans.

"The friends of peace"—*From the New-York Evening Post*—"*What would be the value of a peace, if not attended with a change of those rulers who are driving the country headlong to ruin? A peace, if such be its effects, would be the heaviest of curses:* there is no event that could happen, no possible condition of things that can be imagined, which ought not to be deplored, dreaded and avoided, as the greatest of calamities, if its tendency is to perpetuate power in the profligate hands that for sixteen years have governed this unhappy country."

This is an honest confession and the editor deserves credit for it. What Mr. *Coleman* says, may be regarded as the sentiment of a considerable party, and must not be esteemed as a mere flying paragraph. It means, that *an honorable peace* would be the "heavies of curses" if it did not bring a certain character of persons into power! *O shame!*—But the *principle*, for which the war was proclaimed, daily becomes more popular. In the house of representatives of the United States, the "war party" as it is called, has a *relative* gain of *six* members since *March* last; two of which came from the city of *New-York*, where the *Evening Post* is printed.

Gov. Chauncey has arrived in New York.

A rich prize.—A very valuable ship, under *Russian* colors, direct from *Liverpool*, and fully laden with *British goods*, bound for *Amelia Island*, was taken by gun boat No. 153 off St. Mary's bar, and carried into that port. She is said to have documents that prove the property is in the enemy.

Coincidence.—In page 306, we noticed the "arts of the *enemy*" to prevent the passage of an embargo law, by blockading the sound, and shewing that all sorts of provisions were "dog-cheap" in *Lisbon, Cadiz*, &c. We have now to present another remarkable case. The president, in his message to congress, recommends the passage of a law to prevent the ransoming of vessels—and out comes the following in a *Philadelphia* paper, edited by an ex-member of congress—"*Understood?*"——"We are informed that captain Pim, of the Niemen frigate (one of the British squadron which lately made such numerous captures off Chincoteague) is last from England, via Halifax, and has on board an order from the admiralty prohibiting the ransom by the officers of his majesty's navy, of any captured American vessels. He is also authorised to capture and detain all neutral vessels bound to American ports."

Blue lights. It is astonishing to observe the efforts made to invalidate the truth of the report respecting the "blue lights" exhibited on the shores of *New-London*. With impudence unparalleled, the facts are denied *in toto*, and the thing is twisted and turned a thousand ways to weaken its force; for

the people are alarmed and shocked at the vile treason, and begin to see the lengths to which the attachment of some to the enemy, will carry them.—But these folks have sown for themselves a full harvest of mortification, and we hope they may reap the crop in repentance: they had not yet seen *Decatur's* letter to the secretary of the navy. Hardened as they are, they will not say *that* is false.

MORE RETALIATION. A cartel has arrived at Boston from Halifax, with 140 prisoners, among whom are several officers late of privateers, and some of the midshipmen that belonged to the *Chesapeake*. Another cartel with 4 or 500 prisoners was to sail in a few days. The passengers report that there remained at Halifax about 1400 prisoners; of whom 140 officers and seamen, were held as *hostages. They also say that* 16 *of the Chesapeake's late crew, had been detained for as many of the Borer's crew, who, it is said, had deserted ashore!* Is this possible? *"His majesty wants men and must have them;"* and the barbarians are capable of any thing.

It is stated that several of the crew of the late U. States brig *Argus*, have been put into irons at Plymouth (E.) on suspicion of their being British subjects. The officers are on parole at Reading. Is it not singular that we have not yet had an American account of the fight of that vessel with the *Pelican?* Can it be that our officers are not permitted to write home?

Sir *George Prevost*, by general orders issued at Montreal, Dec. 12, notices the receit of a communication from general *Wilkinson*, stating the confinement of the 46 British officers, held as hostages by the government of the United States—and after a good deal of intemperate language, he directs that *all* the officers of the United States, prisoners of war, in his power, shall be confined.

A *"Bulwark."* Admiral *Warren*, the spoiler in the *Chesapeake*—the commander of an expedition in which several defenceless towns were wontonly burnt—in which one *church* was battered with stones and another plundered—in which sick persons were murdered, and women violated, is elected one of the vice-presidents of a *Bible* society at *Halifax*. I dare say, if such institutions exist in *India*, the creature who receives the revenue from the *prostitutions* and *murders* in honor of *Juggernaut*, may be a member of one of them. Is this *"the religion we profess."*—See WEEKLY REGISTER, vol. III, p. 347.

DIRECT TAX.—A proposition to assume the state's quota of the United States direct tax has failed in *North Carolina* from a difference of opinion in the legislature to equalize the levy, which it was proposed to make under the authority of the state.

The legislature of *Ohio* have, without a dissenting voice, agreed to pay that state's quota of the U. S. tax. True as the needle to the pole, this young and gallant and prosperous state, ever points to patriotism.

THE ADMIRABLE PORTER.—This gallant naval officer (says the *Providence Phœnix*) is much better entitled to the *superlative* we have applied to him, that the Frenchman who once bore it—the admirable Critchton. We are lost in wonder and astonishment when we contemplate the peerless services which captain Porter has rendered with a single frigate—"the Lord is on his side; and his doings are marvellous in our eyes."

Flour at *Jamaica*, Nov. 25, thirty-two dollars per barrel.

DOUBLE TREACHERY. A vessel from Newport for New-York, (says the Providence Patriot) with a valuable cargo, supposed to have a *ticket*, as she was insured in this town at 4 per centum, while other vessels pay from 10 to 20, was recently captured in the Sound, by which some of our insurers have lost from 10 to 1500 dollars each. It is hinted that some people have been *bit* in the same way before.

We recommend to the particular consideration of the reader the triumphant letter of general *Harrison* to general *Vincent*, inserted below. How glorious is his conduct compared with *Proctor's* infamy, and the generally barbarous proceedings of the enemy?

## INTERESTING CORRESPONDENCE.

Copies of the following letters have been politely communicated to us for publication, by an officer of general Harrison's staff, who has the originals in his possession. [*National Intelligencer.*

FROM GENERAL PROCTOR TO GENERAL HARRISON.

*October 8th*, 1813.

SIR,—The fortune of war having placed the private property of the officers and several families of the right division of the British army in Upper Canada, in your power; as also letters, papers and vouchers of the greatest consequence to individuals, without being of any to the cause of the captors, I do myself the honor of applying to you in their behalf, hoping that agreeably to the custom of war, you will avail yourself of this favorable opportunity to alleviate private feelings, by causing the said property and documents to be restored. I must also intreat that every consideration in your power be shown for private families, not of the army. I trust that with the same view you will permit the bearer hereof to ascertain the fate of individuals, and that you will facilitate the retreat of any families that may unfortunately have been interrupted in the attempt. I have the honor to be, &c.

(Signed) HENRY PROCTOR,
*Major-General in H. B. M's service.*

Major-General *Harrison*, or officer commanding the army in the service of the U. S. at Moravian Towns.

FROM GENERAL HARRISON TO GENERAL VINCENT.

*Head-Quarters, Fort George, 3d Nov.* 1813.

SIR—Lieutenant Le Breton, an officer in your service, arrived at Detroit on the 15th ultimo, bearing a flag and a letter to me from general Proctor, requesting humane treatment for the prisoners in my possession and the restoration of private property and papers. This letter was directed to me at the Moravian Towns; and as the subject was not of the importance to authorise the lieutenant's pursuing me to Detroit, I was somewhat surprised as his doing so. It did not appear to me proper to permit him to return in that way, and as I was upon the point of setting out for this frontier by water, I conceived that mode of conveyance would be full as agreeable to him, and would enable him to meet general Proctor as expeditiously as by the land route. I regret that the badness of the weather and other causes which he will explain have detained him until this time.

Understanding that you are the senior officer, I have determined to address my answer to you.—With respect to the subject of general Proctor's letter, those which I have the honor to enclose you from the British officers, who were taken on the 5th ultimo, to their friends, and the report of Mr. Le Breton, will satisfy you that no indulgence which humanity could claim in their favor, or the usages of war sanction, has been withheld. The disposition of the property taken on the field of action or near it, was left to the commanding officer at Detroit. The instructions given to that gentleman, and the well known generosity of his character, will ensure to the claimants the utmost justice and liberality in his decisions. In making this statement, I wish it however to be distinctly understood, that my conduct

with regard to the prisoners and property taken, has been dictated solely by motives of humanity, and not by a belief that it could be claimed upon the score of reciprocity of treatment towards the American prisoners who have fallen into the hands of general Proctor. The unhappy description of persons who have escaped from the tomahawk of the savages in the employment of the British government, who fought under the immediate orders of that officer, have suffered all the indignities and deprivations which human nature is capable of supporting. There is no single instance that I have heard of, in which the property of the officers has been respected. But I am far from believing that the conduct of general Proctor has been thought an example worthy of imitation by the greater part of the British officers; and in the character of general Vincent, I have a pledge that he will unite his exertions with mine to soften as much as possible the fate of those whom the fortune of war may reciprocally place in our power.

But, sir, there is another subject upon which I wish an explicit declaration: Will the indians who still adhere to the cause of his Britannic majesty, be suffered to continue that horrible species of warfare which they have as heretofore practised against our troops, and those still more horrible depredations upon the peaceable inhabitants of our frontiers? I have sufficient evidence to show that even the latter has not always been perpetrated by small parties of vagrant indians acting at a distance from the British army. Some of the most atrocious instances have occurred under the eyes of the British commander and the head of the indian department. I shall pass by the tragedy of the river Raisin, and that equally well known which was acted on the Miami after the defeat of colonel Dudley—and select three other instances of savage barbarity committed under the auspices of general Proctor:—In the beginning of June a small party of indians conducted by an Ottawa chief, who I believe is now with the British army under your command, left Malden in bark canoes, in which they coasted lake Erie to the mouth of Portage river; the canoes were taken across the portage to the Sandusky bay, over which the party proceeded to the Cold creek, and from thence by land to the settlements upon that river, where they captured three families, consisting of one man and twelve women and children. After taking the prisoners some distance, one of the women was discovered to be unable to keep up with them, in consequence of her advanced state of pregnancy. She was immediately tomahawked, stripped naked, her womb ripped open, and the child taken out. Three or four of the children were successively butchered as they discovered their inability to keep up with the party. Upon the arrival of the indians at Malden, two or three of the prisoners were ransomed by colonel Elliott and the others by the citizens of Detroit, where they remained until they were taken off by their friends upon the recovery of that place by our army. I understand that the savage chief received from colonel Elliott a *reprimand* for his cruelty.

On the 29th and 30th of the same month, a large party of indians were sent from Malden on a war expedition to Lower Sandusky. At a farm-house near that place they murdered a whole family, consisting of a man, his wife, son and daughter.

During the last attack upon fort Meigs by general Proctor, a party headed by a Seneca, and intimate friend of Tecumseh's, was sent to endeavor to detach from our interest the Shawanese of Wapockanata. In their way hither they murdered several men and one woman, who was working in a corn-field.

I have selected, sir, the above from a long list of similar instances of barbarity which the history of the last fifteen months could furnish; because they were perpetrated, if not in the view of the British commander, by parties who came immediately from his camp and returned to it—who even received their daily support from the king's stores, and who in fact, (as the documents in my possession will show) form a part of his army.

To retaliate then upon the subjects of the king would have been justifiable by the laws of war and the usages of the most civilized nations. To do so has most amply been in my power. The tide of fortune has changed in our favor, and an extensive and flourishing province opened to our arms. Nor have the instruments of vengeance been wanting. The savages who sued to us for mercy would gladly have shewn their claims to it, by re-acting upon the Thames the bloody scenes of Sandusky and Cold creek. A single sign of approbation would have been sufficient to pour upon the subjects of the king their whole fury. The future conduct of the British officers will determine the correctness of mine in withholding it. If the savages should be again let loose upon our settlements, I shall with justice be accused of having sacrificed the interests and honor of my country, and the lives of our fellow-citizens to feelings of false and mistaken humanity. You are a soldier, sir, and as I sincerely believe, possess all the honorable sentiments which ought always to be found in men who follow the profession of arms. Use then, I pray you, your authority and influence to stop that dreadful effusion of innocent blood which proceeds from the employment of those savage monsters whose aid (as must now be discovered) is so little to be depended on when most wanted, and which can have so trifling an effect upon the issue of the war. The effect of their barbarities will not be confined to the present generation. Ages yet to come will feel the deep rooted hatred and enmity which they must produce between the two nations.

I deprecate most sincerely the dreadful alternative which will be offered to me should they be continued, but I solemnly declare, that if the indians that remain under the influence of the British government are suffered to commit any depredations upon the citizens within the district that is committed to my protection, I will remove the restrictions which have hitherto been imposed upon those who have offered their services to the United States and direct them to carry on the war in their own way; I have never heard a single excuse for the employment of the savages by your government unless we can credit the story of some British officer having dared to assert that "as we employed the Kentuckians, you had a right to make use of the indians."

If such injurious sentiments have really prevailed, to the prejudice of a brave, well informed and virtuous people, it will be removed by the representations of your officers who were lately taken upon the river Thames. They will inform you, sir, that so far from offering any violence to the persons of their prisoners, *these savages* would not permit a word to escape them which was calculated to wound or insult their feelings; and this too with the sufferings of their friends and relatives at the river Raisin and Miami fresh upon their recollection.

I have the honor to be, &c.

(Signed) WM. HENRY HARRISON.

P. S. I pledge myself for the truth of the above statement in relation to the murders committed by the indians. W. H. H.

FROM GENERAL VINCENT TO GENERAL HARRISON.

*Head-quarters, Burlington Heights, 10th November*, 1813.

SIR—Lieut. Le Breton having delivered your let-

ter of the 3d inst. I have directed capt. Merritt of the provincial dragoons to proceed with a flag to fort George, as the bearer of this acknowledgment of your obliging communication.

The account given of the British officers, whom the fortune of war has lately placed at the disposal of the United States, is such, as cannot fail affording very consoling reflections to this army and their anxious friends.

Though you must be sensible there are several points in your letter, respecting which it is wholly beyond my power to afford you the satisfaction of an "explicit declaration," yet be assured, sir, I shall never feel the smallest degree of hesitation in joining you in any pledge, that it will ever be my anxious wish and endeavor to alleviate as much as possible the fate of those who may fall into my power by the chances of war.

Believe me, sir, I deprecate as strongly as yourself the perpetration of acts of cruelty committed under any pretext; and shall lament equally with yourself that any state of things will produce them. No efforts of mine will be ever wanting to diminish the evils of a state of warfare, as far as may be consistent with the duties which are due to my king and country.

The Indians, when acting in conjunction with the troops under my command, have been invariably exhorted to mercy, and have never been deaf to my anxious entreaties on this interesting subject.

I shall not fail to transmit the original of your letter to the lower province, for the consideration of his excellency the commander of the forces.

I feel particularly anxious to be made acquainted with your instructions relative to the disposal of the gallant and truly unfortunate capt. Barclay, whose wounds I lament to hear are such as to preclude all hopes of his being ever again able to resume the duties of his station. Under these circumstances I am induced to rely on your liberality and generous interference to obtain a release or parole, that he may be allowed the indulgence of immediately proceeding to the lower province.

I have the honor to be, &c.

(Signed) JOHN VINCENT, Maj. Gen.

*His excellency maj. gen. Harrison.*

FROM THE BOSTON PATRIOT.

*To Thomas Barclay, Esq. British agent for prisoners at New-York.*

SIR—Actuated by the same motives which doubtless influenced you to make the publication contained in the *New-York Gazette*, and re-published in the *Boston Centinel*, I have been induced to communicate the following information, and accompanying depositions which go far to invalidate your statement and support the deposition of Mr. Walter, the American naval pilot on lake Champlain. The disposition you discover to vindicate the reputation of your country, I certainly respect—It partakes, sir, of that patriotism, the destitution of which among a portion of those called Americans, you must have known, to believe your statement would be accepted, supported only by inferences and conjecture, in opposition to the deposition of one who makes oath of his own knowledge of the existence of facts. But, sir, in this your knowledge is correct, and when you see in the *Centinel* of this town the publication of the solemn deposition of a respectable pilot of our navy, and your own informal, unofficial and uncertified statement (which is merely a speculation on the probability of facts) offered and headed "refutation" immediately after*—Your anticipation with mine of a devotion to your cause and service will unquestionably be exceeded. Here allow me to digress for a moment while I with pleasure inform you that the attachment of country, honorable regard for its interest and zeal in its service, which I have witnessed, inspired me with respect for numbers in his majesty's service and country—At the same time they exhibit a liberality of sentiment and opinion highly becoming, although it evinces less loyalty or rather they do not contend for so much in behalf of his majesty as the devoted portion of a party in this country—Those gentlemen are enemies by war alone, and should I meet them in any place but the field my hand would be extended with feelings of respect and esteem. If this is a delineation of honorable character you must despise the conduct of those in *this country* who form so great a contrast, although their efforts may be serviceable to *you*. But to return to our subject. You contend that because the laws and regulations of the British service do not direct the issue of decayed or unsound provisions and limit the quantity beneath that required for the sustenance of man—unfortunate prisoners cannot so receive them, and by similar inferences only, you disprove the cruel severity of their treatment. It is not contended that your government actually establish such disgraceful and inhuman usage by law—yet all governments are implicated in degree as it permits its agents to abuse the justice they intend to dispense. It is true, sir, that the character of your nation for humanity, justice and honor has been seriously impeached by the conduct of those who have been its representatives since the war.

The depositions which follow, show what has been the treatment of American prisoners at *Quebec*, and if you wish, any number of affidavits can be added. The unprecedented hardness of heart in capt. Clark in extorting from the soldiers a sum so disproportionate to the value of a fish, might have been punished by your government had a disposition existed to notice such behavior. While the Royalist lay in Boston harbor the circumstance was stated in some of our papers, which caused major Murray then British agent for prisoners, to call on some of the officers who had been conveyed in that ship to contradict it, when he was answered that it would be done with pleasure if it were not so, but they had witnessed the transaction while on board with much regret.—Major Murray was mortified at the result of his enquires, and said, with some feeling, that "captain *Clark should be reported to his majesty*." It was not only the article of fish, but liquor was sold the prisoners also at one dollar for each common junk bottle, and other articles proportionately high, thus taking advantage of those unfortunate men knowing they

*The same heading of col. *Barclay's* mere "*notions*" of things, has been extensively circulated, and believed. "REFUTATION," in glaring capitals—the *opinion* of a *British agent* in opposition to the *oath* of an *American citizen*. Good God!—of what stuff is this nation composed. But there is nothing new in this—it is the "religion" of some to believe that the *British* are *angels*. It ought not to have excited the surprize of the writer of this spirited article (who, we *think*, is col. *Miller*)—it has always been so. When capt. *Jessop* solemnly *swore* that he had been flogged by order of the *British*, many years ago, and shewed his back for the scars, a person now in congress, then in authority, declared him perjured (in fact) because a *British* officer said, "*Upon his honor he did not* BELIEVE *it was so*." What kind of proof shall we afford these men? If a spirit were to come from *Abraham's* bosom, and say, that *Britain* was any thing else than "*magnanimous, religious* and *humane*," they would deny it. *See Harrison's letter to Vincent.*

had received money from their government when about to sail, and which they could not spend for necessaries on shore.

I will now, sir, assure you that so far from misrepresentations being often made, *the one fourth part has never been told.*

It is a *fact* that lieut. George Gooding was made prisoner of war, three days before the declaration of war was received and still held as such contrary to the usage of nations.

It is a *fact* that the same lieut. George Gooding was sent from Malden to fort Erie in the schr. Lady Prevost and was excluded the cabin and forced down the forecastle with the sailors ,where he was obliged to exist during the passage.

It is a *fact* that the capitulation of Detroit *was violated in half an hour after the articles were completed.*

It is a *fact* that a room in major Muir's quarters (who was commanding officer at Malden before the war) was *decorated with scalps* which were strung and hung in festoons over the fire place.

It is a *fact* that American soldiers of the 4th regiment infantry were frequently invited and every effort made to induce them to enter the English service, a crime for which your own laws condemn the guilty to death.

At your suggestion I will exhibit depositions of all these facts and more. The scattered situation of those capable of deposing thereto alone prevents them from present publication. If, then, you would serve *your country,* prove to the people of America, that the British government have no participation in the foul conduct represented—nay furnish *one* instance of restitution, for injury, or displeasure and punishment of one of her subjects for these outrages upon humanity, justice and christianity, and you will do much for the British nation.

I beg you to believe that in making this communication I retain for you the highest personal respect. You have appealed to the public and thereby challenged facts which you can be enabled to investigate.

AN OFFICER OF THE ARMY.

*Boston, Dec.* 20, 1813.

*Boston, December* 20, 1813.

I hereby certify, that I was surrendered and made prisoner of war to the enemy at Detroit, with the detachment of the 4th U. S. regiment infantry, on duty at that place, and continued with said detachment during their confinement, (except a few days while sick at Kingston.) That being quarter-master-sergeant of the above named regiment, and the officers being separated and confined to a small village, five miles from Quebec, I received at that place the rations allowed and furnished for the prisoners, which consisted as follows:—For one day each week, of ten ounces of fresh meat, and ten ounces bread per man; for one day, ten ounces salt beef, ten ounces bread per man, and four pounds flour for each mess of six men; and for one day more the same quantity of salt pork and bread, with one quart of peas for each mess of six men. For the remaining four days, we had one quart of peas, one quart of oat meal, one pound of sugar, and one pound of rice, for each mess of six men, with the ten ounces of bread per man, and daily rations of liquor, though short of the quantity allowed in the British service. The rations of meat thus amounted to thirty ounces per man per week, which is less than four and an half ounces per day, and from this scanty allowance, fifty-six pounds per week was stopped from the gross, for which they *agreed* or *promised* to give us vegetables to thicken our soup, but when received, consisted of little more than a few cabbage leaves. I further declare, that the bread we received was mouldy, wormy, and in such small pieces as had the appearance of old and condemned bread;—the meal so sour and stale that this part of the ration could seldom, if ever be ate;—the peas were so old and wormy, that few of them could be ate, after boiling the whole twenty-four hours, for which they were drawn. That our men were much crowded, and suffered for want of room and air—and that for attempting to send a letter to one of our officers, with information of our suffering situation, I was threatened with being confined in irons. And I further declare, that twenty-three men died on board the cartel, during our passage from Quebec to Boston, most of whom I believe expired in consequence of their close and crowded confinement, and want of air at Quebec, and the small quantity and miserable quality of the provisions and other articles issued them.

WILLIAM KELLEY,

*Qr. Mr. Sergt. 4th Regt. U. S. Infantry.*

SUFFOLK, *ss.*—*Boston, 22d Dec.* 1813.—The above named William Kelley personally appeared, and made oath, that the above declaration and certificate by him signed, is true—before me.

W. P. WHITING, *Just. Pacis.*

I hereby certify that the quantity and quality of the rations we received while prisoners of war, at Quebec, was such as described by quarter-master-serjeant Kelley, and that the description given of our situation and sufferings in the foregoing statement is equally true. SOL. JOHNSON, *Corporal.*

*Boston, December* 20, 1813.

SUFFOLK, *ss.*—*Boston, 22d Dec.* 1813.—The above named Solomon Johnson personally appeared and made oath that the above certificate by him signed, is true—before me, W. P. WHITING, *Just. Pacis.*

I do hereby certify, that being a prisoner of war to the enemy, with a detachment of the 4th U. S. regiment of infantry, surrendered at Detroit, and confined at Quebec during the fall of 1812, and transported from that place to Boston in the ship Royalist, commanded by captain Clark; do depose and say—That, while at Quebec, our rations were very scanty in allowance, and unfit in quality for the subsistence of a savage. The oat-meal was so sour and stale, we could not possibly eat it, and upon offering it two hogs on the forecastle, they actually refused to eat it also. The bread was so musty, rotten and old, we could only use it by boiling it with the wretched allowance of meat, and then made a practice of skimming from the surface the numberless quantity of worms, many of which were over three-fourths of an inch in length.

The peas also were bad, as described by quarter-master-serjeant Kelley, and after the boiling were mostly thrown away.

And I further declare, that while on board the above named ship, a quantity of fish being caught, and many of them by John Brewer, a soldier in the regiment—the same were offered for sale at one dollar each, by the carpenter of the ship, who told captain Clark the prisoners did not like to give so much for them; when the reply of captain Clark was, "God damn them, if they do not choose to give that, they may go without; I can corn them for the use of the ship." Finding I could not obtain any, without paying the price required, and my health being impaired by want of provisions, and the infamous quality of the little portion received—the cravings of hunger and debility prevailed, and I purchased two of captain Clark's cod-fish of a middling size and paid *TWO DOLLARS* for them. And further, that I saw several others sold at the same extorted price. RICHARD FILLEBROWN,

*Serjt. 4th Regt. U. S. Infantry.*

*Boston, December* 23, 1813.

SUFFOLK, *ss.*—Commonwealth of Massachuetts, *Boston, December* 24, 1813.—Then the above named Richard Fillebrown personally appeared, and made oath that the affidavit, by him subscribed, was true, before me, WILLIAM SIMMONS,

*Justice of the Peace.*

I hereby certify that, being a soldier of the 4th U. S. regiment of infantry, and a prisoner of war to the enemy, while on a passage in the cartel ship Royalist, captain Clark, from Quebec to Boston, during a calm, the captain directed some lines and bait to be furnished, with which a number of fish were caught from a boat astern of the ship, and a great part of them by John Brewer, a soldier and fellow prisoner. The fish were immediately taken in charge by the carpenter of the ship, and offered for sale, at one dollar each. Half famished and exhausted by our scanty and wretched fare at Quebec, I solicited one of the fish at a less price, when the carpenter replied, it was the captain's orders and he could not sell them lower. I could not resist the cravings of nature, and therefore paid *one silver dollar* for one common cod-fish.

JOHN WHITELY.

*Boston, December* 20, 1813.

SUFFOLK, *ss.*—*Boston, 22d December*, 1813.—The above named John Whitely personally appeared and made oath that the above certificate by him signed, is true—before me,

W. P. WHITING, *Just. Pacis.*

## MILITARY.

Under the expectation of a contemplated attack upon Norfolk, a number of the Virginia militia are ordered to march for its defence. Brig. gen. *Robert B. Taylor*, who with so great distinction has had the command at that place, in a letter to the adjutant-general of Virginia, has requested leave to retire.

PROCTOR'S PAPERS.—Some of the papers captured among general *Proctor's* baggage on the Thames, have been published. They give evidence of many interesting facts, and shall be *registered.*

THE NIAGARA FRONTIER.—It is rather remarkable that we have not yet received any regular account of the proceedings of the enemy on the Niagara frontier; but it appears that all we said and all we apprehended in our last, is substantially true. An Albany paper says that governor *Tompkins* received advices by an express that *Buffalo* and *Black Rock* were destroyed on the 30th ult.—The United States vessels lying at the latter place, happily only four small schooners, used as gun-boats, were taken and destroyed. It was supposed the enemy would cross into *Canada* the next day. Though the neighboring militia rallied with great spirit, they were generally destitute of arms and ammunition, and could offer no effectual resistance. As from the many reports that prevail it is impossible to make out a narration of facts, as we have attempted to do, we shall only observe, that the whole of the Niagara frontier, from fort *Niagara* east to *Buffalo*, west, both inclusive, and several miles of the interior, has been conflagrated and laid waste. All the United States' stores have fallen into the enemy's hands. Many murders have been committed; though perhaps not to the extent reported, and a scene of distress is exhibited unparalleled in this war, except in some parts of the Mississippi territory. We may have the particulars for next week. Report pointedly says that the commander of fort *Niagara* was absent. Gen. *M'Clure* has published a vindication of his conduct in abandoning fort *George* and burning *Newark*. The former, from the deficiency of troops to maintain it, was evidently correct, and he justifies the latter, as he says, by the orders of the secretary of war—he gave the inhabitants twelve hours notice to remove their effects. We shall attempt to collect and arrange all the papers and facts of this dreadful business for record in our next paper.

By letters received at this office from Pittsburg, we learn that major-general Harrison left that place, on the 1st inst. for Cincinnati, on his way to Detroit—where, our correspondent adds, "his presence is much wanted, as the *Indians* once more begin to assume a hostile attitude." We shall rejoice to hear that the winter has passed away without giving the government cause to regret the lenity of its conduct towards those treacherous savages, since their recent subjugation. *Nat. Int.*

*Copy of a letter from general Floyd to his excellency, governor Early, dated camp Mitchell, 12th December*, 1813.

SIR—I herewith forward to you the *pipe* of the old Tallisee* or Tame King taken at the battle of Autossee. The friendly indians observe, that it was the pipe of the greatest man in their nation and who was for many years their king, but he had grown old and foolish—had forsaken them—that he was now dead and as none of his successors had acquired sufficient dignity to be entitled to it, requested that I should send it to my king, meaning your excellency.

It is valuable for its antiquity! This once respected and venerable chief used this pipe at the treaty of Shoulderbone† and how long before it is unknown.

I have the honor to be, with much respect and esteem, your excellency's most obedient servant,

JOHN FLOYD.

## NAVAL.

Supplies to the enemy's vessels have been so frequently furnished as to cease to surprise us. The squadron off *Provincetown*, (Ms.) was lately furnished with a quantity of cattle by some persons *disguised* as Quakers. The embargo law may remedy this grievance.

The Albion 74, anchored in Tarpaulin Cove, (Martha's Vineyard) a few days ago, and is said to have lost 3 mariners and 9 seamen by desertion. The captain threatened to destroy all the houses on the island if the men were not given up—but they had been helped to the main.

Our naval officers are not more valuable for their gallantry in combatting the enemy, than in their humanity to their own crews. Who ever heard of such a cruize as the "*admirable Porter's?*" With a complement of from 350 to 400 men, he was eight months *at sea*, and lost only nine of them—three by accidents, one of old age, and the rest by diseases that all persons, at sea or on shore, are liable to! The Congress also returned from a cruize of more than 200 days, with every man hearty!

We notice the sailing of many stout privateers from various ports of the United States. The embargo will greatly increase this species of the national force. And have also the pleasure to observe there are many valuable arrivals.

The famed frigate *Constitution*, captain Stewart, went to sea from *Boston* on the 30th ult—to take the third frigate—we hope.

An English privateer brig, Campbell, commander, sailed from Otaheite, (South Pacific Ocean) in Aug. last, bound on a cruize.

The French privateer brig Venus, returned to Bordeaux, after a cruize of three weeks in which she captured *sixteen* English vessels—part of which were destroyed. Two French frigates were lately off Madeira.

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*Killed in the battle of Autossee.

†The treaty of Shoulderbone was held in '86.

# The Embargo question.

*Statistical & political view of the vote on the embargo.*

PREPARED FOR THE REGISTER.

| HOUSE OF REPRESENTATIVES. | For | Against | Absent For | Absent Rep |
|---|---|---|---|---|
| *New-Hampshire*—Ayes, none. | | | | |
| Nays: *Cilley, Vose, Wilcox* | | 3 | | |
| *Absent*: *Hall, Smith, Webster* | | | | |
| *Massachusetts*.—Ayes: Hubbard, Parker | 2 | | | |
| Nays: *Baylies, Bigelow, Bingham, Dewey, Ely, King, Pickering, J. Reed*, Ruggles, *Taggart, Wheaton* | | 11 | | |
| *Absent*: *Bradbury, Davis, W. Reed*, Richardson, *Ward, Wilson*, Wood | | | 2 | 5 |
| *Connecticut*.—Ayes, none. | | | | |
| Nays: *Champion, Davenport, Law, Moseley, Pitkin, Sturges, Tallmadge* | | 7 | | |
| *Rhode-Island*.—Ayes, none. | | | | |
| Nay: *Jackson* | | 1 | | |
| *Absent*: *Potter* | | | | 1 |
| *Vermont*.—Ayes: Bradley, Butler, Fisk, Rich, Skinner, Strong | 6 | | | |
| Nays: None. | | | | |
| *New-York*.—Ayes: Avery, Comstock, Denoyelles, Fisk, Lefferts, Sage, Taylor | 7 | | | |
| Nays: *Boyd, Geddes, Grosvenor, Kent, Lovett, Miller, Moffit, Markell, Oakley, Post, Shipherd, Smith, Thompson, Winter* | | 14 | | |
| *Absent*: Hasbrouck, *Hopkins, Howell, Sherwood*, Williams, *(vice Bowers* who sat last session)—one seat *vacant* | | | 2 | 3 |
| *New-Jersey*.—Ayes: Condit, *Ward* | 2 | | | |
| Nays: *Cox*, Hufty, *Schureman, Stockton* | | 4 | | |
| *Pennsylvania*.—Ayes: Anderson, Bard, Brown, Crouch *(vice Gloninger)* Conrad, Crawford, Finley, Glasgow, Griffin, Ingham, Irwin, Lyle, Piper, Rea, Roberts, Seybert, Smith, Tannehill, Udree, *(vice* Hyneman) Whitehill, Wilson | 21 | | | |
| Nays, none. | | | | |
| *Absent*: Davis, Ingersoll | | | 2 | |
| *Delaware*.—Ayes, none. | | | | |
| Nay: *Cooper* | | 1 | | |
| *Absent*: *Ridgley* | | | | 1 |
| *Maryland*.—Ayes, Archer, Kent, M'Kim, Moore, Wright | 5 | | | |
| Nays: *Hanson, Stuart* | | 2 | | |
| *Absent*: *Goldsborough*, Ringgold | | | 1 | 1 |
| *Virginia*.—Ayes: Burwell, Clopton, Dawson, Eppes, Gholson, Goodwyn, Kerr, M'Coy, Nelson, Newton | 10 | | | |
| Nays: *Caperton*, Hungerford, *Lewis, Sheffey, White* | | 5 | | |
| *Absent*: *Bayly, Breckenridge*, Hawes, Jackson, Johnson, Pleasants, Roane, Smith | | | 6 | 2 |
| *North-Carolina*.—Ayes: Alston, Forney, Franklin, Kennedy, King, Macon, Murfree, Pickens, Yancey | 9 | 4 | | |
| Nays: *Culpepper, Gaston, Pearson*, Stanford | 5 | 2 | 2 | |
| *South-Carolina*.—Ayes: Calhoun, Chappell, Farrow, Gourdin, Kenshaw | | | | |
| Nays: Cheves, Lowndes | 3 | | | |
| *Absent*: Earle, Evans | | | | 2 |
| *Georgia*.—Ayes: Barnett, Hall, Troup | | | | |
| Nays, none | | | | |
| *Absent*: Forsyth, Telfair (the seat of Mr. Bibb, now a senator, vacant) | | | | 2 |
| *Kentucky*.—Ayes: Desha, Ormsby, Sharp | 3 | | | |
| Nays: Duval, M'Kee, Montgomery | | 3 | | |
| *Absent*: Clarke, Hopkins, Johnson (Clay, speaker, did not vote) | | | | 4 |
| *Tennessee*.—Ayes: Bowen, Grundy, Harris, Humphreys, Rhea, Sevier | 6 | | | |
| Nays, none. | | | | |
| *Ohio*.—Ayes: Alexander, Beall, Caldwell, Creighton, M'Lean | 5 | | | |
| Nays, none. | | | | |
| *Absent*: Kilbourne | | | | 1 |
| *Louisiana*.—Aye: Robertson | 1 | | | |
| Nays, none. | | | | |

| RECAPITULATION. | | |
|---|---|---|
| "Republicans" in favor of the embargo | 84 | |
| "Federalist" | 1 | 85 |
| "Federalists" against the embargo | 49 | |
| "Republicans" | 8 | 57 |
| Majority | | 28 |
| "Republicans" *absent* | 22 | |
| Seats vacant will be filled by *republicans* | 2 | 24 |
| "Federalists" absent | | 16 |
| Majority of republicans absent | | 8 |
| Whole number of members | | 182 |

| IN THE SENATE. | For | Against | Absent For | Absent Rep |
|---|---|---|---|---|
| *New-Hampshire*.—Ayes, none. | | | | |
| Nays: *Gilman*, Mason | | 2 | | |
| *Massachusetts*.—Aye: Varnum | 1 | | | |
| Nay: *Gore* | | 1 | | |
| *Rhode-Island*.—Yea: Howell | 1 | | | |
| Nay: *Hunter* | | 1 | | |
| *Connecticut*.—Ayes, none. | | | | |
| Nays: *Daggett, Dana* | | 2 | | |
| *Vermont*.—Ayes: Chase, Robinson | 2 | | | |
| *New-York*.—Ayes, none. | | | | |
| Nays: German, *King* | | 2 | | |
| *New-Jersey*.—Ayes, none. | | | | |
| Nay: Lambert | | 1 | | |
| *Absent*: Condit | | | | 1 |
| *Pennsylvania*.—Ayes: Lacock, Leib | 2 | | | |
| *Delaware*.—Ayes, none. | | | | |
| Nays: *Horsey, Wells* | | 2 | | |
| *Maryland*.—Aye: Smith | 1 | | | |
| Nay: *Goldsborough* | | 1 | | |
| *Virginia*.—Ayes: Brent, Giles | 2 | | | |
| *North-Carolina*.—Ayes: Stone, Turner | 2 | | | |
| *South-Carolina*.—Ayes: Gaillard, Taylor | 2 | | | |
| *Georgia*.—Ayes: Bibb, Tait | 2 | | | |
| *Kentucky*.—Aye: Bledsoe | 1 | | | |
| *Absent*: Bibb | | | | 1 |
| *Tennessee*.—Ayes: Anderson, Campbell | 2 | | | |
| *Ohio*.—Ayes: Morrow, Worthington | 2 | | | |
| *Louisiana*.—Ayes, none. | | | | |
| Nays: Brown, Fromentin | | 2 | | |

"Federal" members distinguished by *italics*.

| RECAPITULATION. | | |
|---|---|---|
| "*Republican*" members in favor of the embargo | | 20 |
| Ditto ditto against do. | 5 | |
| "*Federal*" members against the embargo | 9 | 14 |
| Majority | | 6 |

Absent—2 *republicans*.

## ☞ To Independence.

We observed, some time ago, that a person could hardly open a news-paper without seeing some *new manufacturing establishment announced*, or some *new home-made commodity* offered for sale. All the following, being *separate advertisements*, are inserted in the *New-York Gazette* of the 26th Nov.—a paper taken up by chance, without choice or selection, or the most distant knowledge of what the result of an examination might be. The reader will observe, that every thing noticed may be considered as *new* commodities at *New-York*.

1. *Notice is given* that application will be made to the legislature to incorporate "*The New-York Patent Oil Company*," with a capital of $ 100,000, not to be employed in any other business but that of pressing and straining oils.——2. The "*Commission Company*" give notice, that they will apply to the legislature for an alteration of the "act for the encouragement of domestic manufactures," so that the capital may be increased to $1,400,000, and for other purposes.——3. A person who understands the whole business of an iron furnace, is wanted.——5. A quantity of cider spirits, for sale.——6. Ditto.——7. 71 bbls. country gin.——8. Counterpanes, an assortment.——9. "More" whiskey.——10. Twenty-five cases of ginghams, shirtings, &c. 125 doz. yarn stockings, 50 boxes cotton cards.——11. 200 casks gun-powder.——12. Twenty-four cases cotton and woollen goods, cloths, ginghams, chambrays, shirtings, threads, &c.——13. 500 pair of skates.——14. Cloths, superfine and seconds, an assortment.——15. The "*New-York Coal Company*," for the purpose of working mines of coal and other minerals, give notice that they shall apply for a charter, with a capital of $2,000,000.——16. Whiskey for sale.——17. Cider Brandy.——18. Merino wool, card wire, &c.——19. Country gin.——20. "More" whiskey.——21. Ditto.——22. Utica crown glass, 8 by 10 and 10 by 12.——25. Four cases superfine broad cloths.——24. 200 casks gun-powder.——25. "More" cider

brandy.——26. Ditto.——27. Ditto.——28. Gin, a constant supply, for wholesale——29. Twenty-two Merino sheep at auction.——30. A quantity of printing paper at do.——31 Fifty-five Merinoes, full blooded, and 12 three-fourths ditto, at ditto.——32. "More" cider brandy.——33. Sattinetts, coatings, negro cloths, with large supplies of woollen and cotton goods——34. Twenty-two boxes cotton cards.——35. "More" cider brandy.——36. Twenty boxes American cotton and woolen goods, for sale by the box. Also a large assortment of piece goods. 37. "More" cider brandy.——38. Kentucky saltpetre.——39. "More" gin. Portable desks and copying machines.——40. One hundred hhds. *Kentucky* molasses.——41. 22 hhds. Jersey rum, 1st quality. ——42. "More" whiskey.——43. Cotton cards, by wholesale.——44. "More" rum.——45. 150 reels Kentucky yarn.—173 coils cordage—gin and whiskey and cotton duck.——46. Whiskey and gin.—— 47. Two Merino Bucks.——48. "More" gin.—— 49. Window glass all sizes.——50. Ditto from Utica. ——51 "More" whiskey.——52. Cordage, spun-yarn and Kentucky hemp.——53. Gun-powder.—— 54. Whiskey.——55. "More" ditto.——56. A furnace for sale, with 5000 acres of land.——57. A distillery for do.——58. Cordials, by the quantity.——59. At the *state prison ware-house*—all sorts of brushes, nails, bellows, shoes, malts, &c. &c.——60. By the New-York Hardware Manufactory, skates, locks and hinges, bolts, latches, iron squares, sash pullies, sash weights improved, glue pots, files, nails, trunk locks, handles and squares *and all other articles for builders*, improved andirons with trevits, do chafing dishes, do. grid-irons and pye pans, cradle spits, steak tongs, frying pans tinned inside, fire irons, griddles, &c. &c. &c: *a handsome assortment of cutlery goods.—N. B. Articles for machinery to pattern:* also, black smith's patent forge backs.——61. Umbrellas and parasols.——62. Artificial flowers, garlands, plumes, &c.——63. A general assortment of cotton and woollen goods.——64. Ditto—"with a constant supply of American duck equal to the Russian."

## Proceedings of Congress.

IN SENATE.

*Monday, December* 20, 1813.—Mr. Bledsoe submittee a resolution to instruct the committee on military affairs to enquire as to the expediency of making provision by law for the alteration and improvement of the medical staff in the army of the United States. The resolution was agreed to.

Mr. Worthington, after some pointed remarks, showing the importance of the object as exemplified in the successes of the navy—submitted a resolution, to enquire into the expediency of establishing a blank number of additional military schools, and that they have leave to report by bill or otherwise.—The resolution was agreed to.

*Thursday, December* 24.—Mr. Dana, according to leave granted, submitted a bill concerning evidence in case of naturalization, which was ordered to lie on the table.

*Tuesday, December* 29.—Mr. Gaillard, from the naval committee, reported certain resolutions complimentary to captain Perry and his officers and men, for the victory on *Erie*, &c.

HOUSE OF REPRESENTATIVES.

*Friday, December* 31.—After some business, not necessary at this time to notice, Mr. Bradley, after a few remarks, submitted the following resolution—

*Resolved*, That the president of the United States be requested to cause to be laid before this house any information in his possession not improper to be communicated, which may tend to illustrate the causes of the failure of the arms of the United States on the northern frontier.

Mr. Troup thought the enquiry inexpedient at this time; but the resolution was adopted by ayes and nays, as follows:

YEAS.—Messrs. Alexander, Alston, Anderson, Archer, Avery, Barnett, Baylies, (of Mass.) Bayly, (of Virg.) Beall, Bigelow, Bradbury, Bradley, Breckenridge, Brigham, Butler, Caperton, Caldwell, Champion, Cilley, Clark, Clopton, Comstock, Conrad, Cox, Crawford, Creighton, Crouch, Culpepper, Davenport, Davis, (of Mass.) Davis, (of Penn.) Denoyelles, Desha, Dewey, Duvall, Ely, Eppes, Fisk, (of Ver.) Fisk, (of N. Y.) Forney, Forsythe, Franklin, Gaston, Geddes, Glasgow, Gourdin, Griffin, Grundy, Hale, Hall, Harris, Hasbrouck, Hawes, Hubbard, Hufty, Humphreys, Hungerford, Ingersoll, Irwin, Johnson, (of Virg.) Kennedy, Kent, (of N. C.) Kent, (of Md.) Kerr, Kershaw, Kilbourn, King, (of Mass.) King, (of N. C.) Law, Lefferts, Lewis, Lovett, Lowndes, Lyle, Macon, M'Coy M'Kee, Miller, Moffit, Montgomery, Moore, Mosely, Murfree, Markell, Nelson, Newton, Ormsby, Parker, Pearson, Pickering, Pickens, Piper, Pitkin, Pleasants, Post, John Reed, Rea, (of Pen.) Rhea, (of Ten.) Rich, Ridgely, Ringgold, Roberts, Robertson, Ruggles, Sage, Schureman, Seybert, Sharp, Shelley, Sherwood, Shipherd, Skinner, Smith, (of N. Y.) Smith, (of Penn.) Smith, (of Virg.) Stanford, Stockton, Strong, Stuart, Sturges, Taggart, Tallmadge, Taylor, Telfair, Thompson, Udree, Vose, Ward, (of Mass.) Webster, Wheaton, White, Wilcox, Wilson, (of Mass.) Wilson, (of Penn.) Winter, Wood, Yancey.—137.

NAYS.—Messrs. Bard, Bowen, Chappell, Gholson, Grosvenor, Hanson, Oakely, Potter, Sevier, Troup, Ward, (of N. J.) Whitehill, Wright.—13.

The house adjourned till Monday.

*Monday, January* 3.—Mr. *Webster* called up for consideration Mr. *Munroe's* report to the president of the United States on certain resolutions submitted at the last session. (See WEEKLY REGISTER, vol. IV, pages 257, 318, 329.) His motion was agreed to; though a disposition was manifested not to suffer the *talks* that may be expected on this matter to interfere with the weightier concerns of the nation. The time fixed was Monday next.

On motion of Mr. Pickens, of N. C. the house resolved itself into a committee of the whole, Mr. Nelson, of Virginia, in the chair, on the proposition to amend the constitution of the United States, so as to establish an uniform mode of electing electors of president and vice-president of the United States.

Mr. Pickens in a speech of considerable length, supported his motion.

Mr. Findley spoke for a few minutes in opposition to the resolutions.

Mr. Gaston decidedly supported them in a speech of about half an hour.

When the committee rose without coming to a decision on the proposition, reported progress, and obtained leave to sit again—and

The house adjourned.

☞A great deal of *speaking* may be expected in the present session. *Hanson's* resolutions, with *Webster's* call, and *Bradley's* enquiry, may employ several weeks.

*Tuesday, Jan.* 4.—Mr. Lefferts presented the petition of sundry citizens of New York, on behalf of themselves and their associates, praying the incorporation of a national bank, with a capital of *thirty millions*, at such place as the president and directors may determine, or shall be designated in the act of incorporation—offering, among other inducements to granting a charter, to loan to the government any amount not exceeding one half of its capital.—The petition was referred, on motion of Mr. L. to the committee of ways and means, by vote of 57 to 54, in opposition to the wishes of some who desired to refer it to a select committee. On motion of Mr. Calhoun, the memorial was ordered to be printed, ayes 70.

Mr. Lowndes, from the naval committee introduced some resolutions complimentary to the memory of capt. *Lawrence*, which were followed up by other resolutions from the senate, like honorable to the living heroes *Perry, Elliott*, &c. which were unanimously agreed to. Details hereafter.

Mr. Pickins proposed amendments to the constitution of the United States (see page 297) were disagreed to in committee of the whole—for the resolve, 57, against it 70.

*Wednesday, Jan. 5.*—Mr. Kilbourn submitted resolution having for its object the protection of the N. W. frontier, by donations of lands to actual settlers—referred to the military committee.

A bill making partial appropriations for the military service of 1814, was passed—

The house took up the report of the committee of the whole, on Mr. Pickens' resolution, and agreed to postpone the consideration of them till to-morrow.

Mr. Taylor submitted a resolution to require the attendance of the attorney general of the United States, at the seat of government during the sittings of congress.

The bill to amend the 7th section of the act to lay and collect a direct tax [allowing a little further time to the states to assume the payment] was after some remarks thereon, ordered to be engrossed for a third reading. [This amendment was proposed because the legislatures of some of the states had not had opportunity to act upon it.]

## POSTCRIPT.

The important matter inserted below, received when this sheet was nearly prepared for the press, has driven out several articles.

WASHINGTON, January 7.

FROM BRITAIN.—The following highly important message and documents were on yesterday transmitted by the president of the United States to both houses of congress.

*To the senate and house of representatives of the United States in congress assembled.*

I transmit for the information of congress copies of a letter from the British secretary of state for foreign affairs to the secretary of state, with the answer of the latter.

In appreciating the accepted proposal of he government of Great Britain for instituting negociations for peace, congress will not fail to keep in mind that vigorous preparations for carrying on the war can in no respect impede the progress to a favorable result, whilst a relaxation of such preparations, should the wishes of the United States for a speedy restoration of the blessings of peace be disappointed, would necessarily have the most injurious consequences. JAMES MADISON.

*Lord Castlereagh to the secretary of state.*

Foreign office, November 4, 1813.

SIR,—I have the honor to enclose to you for the information of the president of the United States, a copy of a note which his Britannic majesty's ambassador at the court of St. Petersburg was directed to present to the Russian government, as soon as his royal highness, the prince regent, was informed that plenipotentiaries had been nominated on the part of the American government for the purpose of negociating for peace with Great-Britain under the mediation of his imperial majesty.

His lordship having by the last courier from the imperial head-quarters, acquainted me that the American commissioners now at St Petersburg have intimated, in reply to this overture, that they had no objection to a negociation at London, and were equally desirous, as the British government had declared itself to be, that this business should not be mixed with the affairs of the continent of Europe, but that their powers were limited to negociate under the mediation of Russia.

Under these circumstances, and in order to avoid an unnecessary continuance of the calamities of war, the prince regent commands me to transmit, by a flag of truce, to the American port nearest to the seat of government, the official note above mentioned, in order that the president, if he should feel disposed to enter upon a direct negociation for the restoration of peace between the two states, may give his directions accordingly.

In making this communication, I can assure you that the British government is willing to enter into discussion with the government of America for the conciliatory adjustment of the differences subsisting between the two states, with an earnest desire on their part to bring them to a favorable issue, upon principles of a perfect reciprocity not inconsistent with the established maxims of public law, and with the maritime rights of the British empire.

The admiral commanding the British squadron on the American station will be directed to give the necessary protection to any persons proceeding to Europe, on the part of the government of the United States, in furtherance of this overture; or should the American government have occasion to forward orders to their commissioners at St. Petersburg, to give the requisite facilities, by cartel or otherwise, to the transmission of the same.

I have the honor to be, with the highest consideration, sir, your most obedient servant,

(Signed) CASTLEREAGH.

[ENCLOSURE ALLUDED TO ABOVE.]

*Translation of a note from lord Cathcart, to the count de Nesselrode, dated*

Toplitz, 1st September, 1813.

The undersigned ambassador of his Britannic majesty to the emperor of all the Russias, desiring to avail himself of the first occasion to renew the subject respecting America, which was brought into discussion in a conference at the moment of departure from Reichenbach, has the honor to address this note to his excellency the count de Nesselrode.

Although the prince regent, for reasons which have already been made known, has not found himself in a situation to accept the mediation of his imperial majesty, for terminating the discussions with the United States of America, his royal highness desires, nevertheless, to give effect to the beneficient wishes which his imperial majesty has expressed of seeing the war between Great Britain and America soon terminated, to the mutual satisfaction of the two governments.

With this view, his royal highness having learned that the envoys plenipotentiary of the United States for negociating a peace with Great Britain, under the mediation of his imperial majesty, have arrived in Russia, notwithstanding that he finds himself under the necessity of not accepting the mediation of any friendly power in the question which forms the principal object in dispute between the two states, he is nevertheless ready to nominate plenipotentiaries to treat directly with the American plenipotentiaries.

His royal highness sincerely wishes that the conferences of these plenipotentiaries may result in re-establishing, between the two nations, the blessings and the reciprocal advantages of peace.

If, through the good offices of his imperial majesty, this proposition should be accepted, the prince regent would prefer that the conferences should be held at London, on account of the facilities which it would give to the discussions.

But if this choice should meet with insuperable obstacles, his royal highness would consent to substitute Gottenburg as the place nearest to England.

The undersigned, &c.

(Signed) CATHCART.

THE SECRETARY OF STATE TO LORD CASTLEREAGH.

*Department of State, January* 1814.

MY LORD—I have had the honor to receive by a flag of truce your lordship's letter of the 4th of November last, and a copy of a note which his Britannic majesty's ambassador at the court of St. Petersburg presented to the Russian government on the first of September preceding.

By this communication it appears that his royal highness the prince regent rejected the mediation offered by his imperial majesty to promote peace between the United States and Great Britain, but proposed to treat directly with the United States at Gottenburg or London, and that he had requested the interposition of the good offices of the emperor in favor of such an arrangement.

Having laid your lordship's communication before the president, I am instructed to state, for the information of his royal highness the prince regent, that the president has seen with regret this new obstacle to the commencement of a negociation for the accommodation of differences between the United States and Great Britain. As the emperor of Russia was distinguished for his rectitude and impartiality, and was moreover engaged in a war, as an ally of England, whereby it was in his interest to promote peace between the United States and Great Britain, the president could not doubt that his royal highness the prince regent would accept the mediation, which his imperial majesty had offered to them. It was the confidence with which the high character of the emperor inspired the president, that induced him, disregarding considerations, which a more cautious policy might have suggested, to accept the overture with promptitude, and to send ministers to St. Petersburg, to take advantage of it. It would have been very satisfactory to the president, if his royal highness the prince regent had found it compatible with the views of Great Britain, to adopt a similar measure, as much delay might have been avoided, in accomplishing an object, which, it is admitted, is of high importance to both nations.

The course proposed as a substitute for negociation at St. Petersburg, under the auspices of the emperor of Russia, could not, I must remark to your lordship, have been required for the purpose of keeping the United States unconnected against Great Britain, with any affairs of the continent. There was nothing in the proposed mediation tending to such a result.—The terms of the overture indicated the contrary. In offering to bring the parties together, not as an umpire, but as a common friend, to [illegible] settle their differences and respective claims, in a manner satisfactory to themselves. His imperial majesty shewed the interest which he took in the welfare of both parties.

Wherever the United States may treat, they will treat with the sincere desire they have repeatedly manifested, of terminating the present contest with Great Britain on conditions of reciprocity consistent with the rights of both parties, as sovereign and independent nations, and calculated not only to establish present harmony, but to provide, as far as possible, against future collisions which might interrupt it.

Before giving an answer to the proposition communicated by your lordship, to treat with the United States independently of the Russian mediation, it would have been agreeable to the president to have heard from the plenipotentiaries of the United States, sent to St. Petersburg. The offer of a mediation by one power, and the acceptance of it by another, forms a relation between them, the delicacy of which cannot but be felt. From the known character however of the emperor, and the benevolent views with which his mediation was offered, the president cannot doubt that he will see with satisfaction a concurrence of the United States, in an alternative, which, under existing circumstances, affords the best prospect of obtaining speedily what was the object of his interposition. I am accordingly instructed to make known to your lordship, for the information of his royal highness the prince regent, that the president accedes to his proposition, and will take the measures depending on him for carrying it into effect at Gottenburg, with as little delay as possible; it being presumed, that his majesty the king of Sweden, as the friend of both parties, will readily acquiesce in the choice of a place for their pacific negociations, within his dominions.

The president is duly sensible of the attention of his royal highness the prince regent, in giving the orders to the admiral commanding the British squadron on this coast, which your lordship has communicated.

I have the honor to be, &c.

JAMES MONROE.

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CONGRESS—On Thursday, Mr. Jackson of Va. proposed certain amendments to the constitution of the United States, so that a duty may be laid on exports

Mr. Murfee offered a resolution for the appointment of a lieutenant general—it lies over for consideration.

Mr. Sharp introduced some resolutions respecting the nature of the service of the militia, with a view to direct that a prosecution be instituted against the governor of *Vermont*. Laid on the table.

Mr. Pickens' motions were taken up; but postponed on the receipt of the president's message, inserted above.

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☞The Neptune is stated to have arrived at New-York with Mr. Gallatin on board.

It is said one of our vessels of war is ordered to be fitted out at *New York* to proceed as a flag with despatches.

A letter received in Washington city from Washington, M. T. of date Dec. 14, says—"Information was received last evening, that a British force of 2000 troops had arrived at Pensacola, and that a British squadron had swept all the American property afloat on the coast between Orleans and Pensacola."

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## THE CHRONICLE.

An election has been held in the city of New-York, for a representative in congress, in the place of Egbert Benson, esq. (fed.) resigned. William Irving esq. (rep.) has been elected by a majority of 377 votes. His opponent was Peter A. Jay, esq.

The British "official" letters sustain the facts briefly given in our last of the defeat of the French in Germany. The details are of great length. They make the whole French loss to be 82,000 men killed, wounded and prisoners. Another account says that the emperor with the remnant of his force, had retreated across the *Rhine*; his German allies appear generally to have deserted him. The Russians have entered Cassel, the capital of *Westphalia*; the king made his escape. From the whole it appears that Bonaparte has been fully defeated—We have yet, however, but one side of the story.

Richardson and Bailhache propose to publish a newspaper, in English and French, at the town of *Detroit*, under the title of "The Republic." To their prospectus is added a spirited address "to the people of Canada."

# THE WEEKLY REGISTER.

No. 20 OF VOL. V.] BALTIMORE, SATURDAY, JANUARY 15, 1814. [WHOLE NO. 124

*Hæc olim meminisse juvabit.*—VIRGIL.

Printed and published by H. NILES, South-st. next door to the Merchants' Coffee House, at $5 *per annum.*

## Public Lands.

*Copy of a letter from the commissioner of the general land office to the house of representatives.*

Treasury Department, General Land Office, December 30th, 1813.

SIR—I have the honor herewith to enclose a report respecting the public lands of the U. States, and am, with great respect, your most obedient humble servant,

EDWARD TIFFIN.

*The honorable the Speaker of the House of Representatives of the U. States.*

Treasury Department, General Land Office, December 30th, 1813.

SIR—Although the law establishing the general land office does not require the commissioner to make an annual report of the state of that part of the public concerns confided to his care, yet as there has been a considerable accession of new members to the national legislature, I have thought it would be acceptable to have a comprehensive view of the extent and situation of the public lands, that such legislative provisions as are required may be the more readily perceived.

A report made to the senate on the 19th of February, 1812, by the chairman of a committee charged with an inquiry into the state of the public lands, together with the accompanying documents from the honorable the secretary of the treasury, afforded the most ample information which the nature of such inquiry could at that time furnish, and has much abridged the labor that would otherwise have been necessary in preparing this memoir.

It appears from public documents in this department, that the United States, after deducting all that has been sold, and leaving a sufficiency to satisfy every lawful claim, will possess a national domain of at least four hundred million acres of land, embracing a variety of soil and climate capable of furnishing all that is necessary for supplying the wants, and affording most of the luxuries of life to man, and which, if properly managed, will secure auxiliary aids to the government for ages yet to come.

This four hundred million of acres are situated as follows:

*In the state of Ohio.*

| | | |
|---|---|---|
| Lands to which the Indian title has been extinguished | 6,725,000 | |
| Lands to which the Indian title has not been extinguished | 5,575,000 | |
| Total number of acres of land in Ohio. | | 12,300,000 |

*In the territory of Michigan.*

| | | |
|---|---|---|
| Lands to which the Indian title has been extinguished | 5,100,000 | |
| Lands to which the Indian title has not been extinguished | 11,400,000 | |
| Total number of acres of land in Michigan | | 16,500,000 |

*In the Indiana and Illinois south of parallel of latitude passing by the southern extremity of lake Michigan.*

| | | |
|---|---|---|
| Lands to which the Indian title has been extinguished | 33,000,000 | |
| Lands to which the Indian title has not been extinguished | 23,200,000 | |
| Total number of acres in Indiana and Illinois | | 56,200,000 |

*In the territory of lake Michigan and north of said parallel of latitude.*

| | | |
|---|---|---|
| Lands to which the Indian title has been extinguished | 5,300,000 | |
| Lands to which the Indian title has not been extinguished | 54,500,000 | |
| Total number of acres west of Michigan | | 60,000,000 |

*In the Mississippi territory.*

| | | |
|---|---|---|
| Lands to which the Indian title has been extinguished | 5,900,000 | |
| Lands to which the Indian title has not been extinguished | 49,100,000 | |
| Total number of acres in the Mississippi | | 55,000,000 |
| In the cession made by the French government the 30th of April, 1803, and including the territory of Missouri, the state of Louisiana, and the lands east of the river Mississippi and island of New-Orleans as far as the river Perdido, at least | | 200,000,000 |
| Grand total number of acres | | 400,000,000 |

In the last described portion of territory, it has not yet been correctly ascertained what proportion of the Indian title has been extinguished, but, prior to the period when the United States became possessed of the country, a considerable quantity had been ceded by the Indians, and since that period cessions have been obtained of the Sacs, Foxes and Osages, which, with the lands in the occupancy of the inhabitants, are supposed to amount to from twenty-five to thirty million of acres.

This delightful region, embracing a surface of two hundred million of acres, has heretofore been least known; but our very intelligent principal surveyor south of Tennessee, who, under instructions from this department, has been running township lines to ascertain its character and value, gives the most flattering account of it, and from whose information we may safely infer that at no very distant period, the United States will not only be able to procure, within its own boundaries, a sufficiency of sugar, rum, (perhaps coffee) molasses, and most of the tropical fruits for their own consumption, but be able to spare some for exportation. Within a year last past, there has been discovered tracts of country equal to many of the West-India Islands, for quantity of soil not only fit for, but of the kind best adapted to produce those precious articles. Extracts from some of the communications of the surveyor, will best explain the situation of the lands ere. In a letter dated the 21st of January, 1813

he writes, "I have the honor herewith to transmit to you two rough sketches of the north and south east district of Louisiana, that you may more distinctly perceive the character of the country. Contrary to our expectations or hope, we are informed that there is a large body of high primitive soil, extremely rich and valuable, situated south west of Orleans, about twenty miles distant, and from twenty to fifty miles in extent, on which a flock of some hundreds of buffaloe range, and have remained for many years past living on the high cane lands during the season of inundations, and ranging through the salt marshes during the season of low water. This information is obtained by one of our deputies, and I presume may be relied on; if so, it will at once become the most valuable and saleable tract of land in this country, it being in the best position for the growth of sugar cane."

In another dated September 3, 1813, he writes, "My principal deputy for the south eastern district of Louisiana has been employed for some time past in extending township lines through and exploring the southern portion of his district. He represents, that there are a number of islands on the coast, some of them of considerable size, and good soil; he found a body of high rich land in the neighborhood of the ocean, extending along the bayous running into the bays."

Our surveyors have made some progress in surveying tracts on the water courses, under the law for surveying lands on water courses in Louisiana; the lands on the bayou they have been surveying (bayou Cayou) for about 30 miles up; it extends back from that water course about half a mile of high apparently primitive soil, heavily timbered and of the richest quality, thence it descends four hundred and sixty-five perches; there are several other bayous similarly situated with valuable lands on their margins; these lands are as far south as the Balize or mouth of the Mississippi; they are exposed to the ocean, and of course better calculated for the growth of sugar cane than any lands in the Mississippi. This tract of country, and the approach to it by water, are very little or not at all known. It would doubtless add much to the value of those lands, and promote their ready sale, to have an accurate survey of the coast, bays and islands, in front, annexed to the survey of the interior country; so that purchasers or those disposed to purchase lands there, might see the advantage those lands possess, and their convenient approach and communication with the ocean.

It would swell this paper too much to detail minutely the several representations made of this immensely valuable country, immensely valuable, whether considered as it respects its surface and situation, the products it may be rendered capable of furnishing, or the treasure it is destined to pour into the national coffers.

In this region a land office is directed by law to be opened in the territory of Missouri, as soon as the private claims are all ascertained and the lands surveyed; and from which territory alone it is believed inexhaustible stores of lead may be obtained.

In the state of Louisiana, three land offices are provided for by law, one at New-Orleans for the eastern land district, one at Opelousas for the western land district, south of Red river, and the other at such place, north of Red river, as the president of the United States shall designate; the land officers in these districts are progressing to a close in ascertaining the character and extent of the private claims, and the surveyors have prepared a considerable part of the eastern district for market, and are progressing fast with the remainder.

In that portion of the country lying east of the river Mississippi and island of New-Orleans as far as the river Perdido, two commissioners have been erected by law, one west, the other east of Pearl river, to ascertain the nature and extent of private claims derived from either the French, British, or Spanish governments, and to obtain a list of all the actual settlers who have no claims to land derived from either of those governments, and who are satisfactorily progressing in the discharge of their official duties.

In the territory of Illinois two land offices are directed by law to be opened, one at Kaskaskia, the other at Shawneetown, so soon as the private claims and donations are all located, and the lands surveyed, which are in great forwardness. By an act of congress passed on the 30th of April, 1810, it was provided in section 6, "that a tract of land in the Illinois territory at and including Shawneetown on the Ohio river, shall under the direction of the surveyor general, be laid off into town lots, streets, and avenues, and into out lots, in such manner and of such dimensions as he may judge proper, &c. &c. I quote the words of the act, to show that it was mandatory on the surveyor general; for, it appears, a most unfortunate selection of a scite for this town has been made, and that notwithstanding the expense already incurred in laying out the town, it will be necessary to abandon it. To show the causes to such determination, I beg leave to give extracts from some of the representations made to this office by the present surveyor-general, one of the territorial judges, the principal deputy surveyor, and one of the late commissioners at Kaskaskai, who write, Angust 14th, 1813, as follows:

"When I recently recommended a small change in the plat of Shawneetown, it was then my decided conviction that the scite itself ought to be changed, but not knowing that others would feel an interest sufficient to induce them to unite in such a recommendation, I was unwilling to move alone in so important an object. I was an eye witness to one of the two inundations by which that place was visited last spring, and to the great distresses and losses which were experienced. I had before observed, in riding through the woods surrounding the town, the extraordinary height of the water marks upon the trees, which were so visible, for the space of about two miles on the road to the saline, that one might imagine himself riding under water to the depth of from 12 to 15 feet, but the last spring I saw the water itself even at a greater height than had been marked by the icy freshness of winter. I rode upon the flood for more than two weeks in a keel boat over the principal street of the town lashed to a merchant's store, and the boat was upon a level with its roof; an attack of ague and fever then compelled me to quit and seek health in the high lands of Kentucky. The flood continued to rise a few feet afterwards, and was nearly as long in falling as it was in rising; a second inundation quickly succeeded; when the waters rose as high as in the first. At the time I left the boat the waters were about midway on the roofs of the houses generally, and quite to the ridge poles of several. Being heavy log cabins, they usually did not float till immersed to the last mentioned depth, and I saw about from 15 to 20 float away; about 40 in the whole floated off. It was a merciful providence that the wind did not blow hard in either of the inundations, for if it had done so, every building of every description must unquestionably have been demolished and swept off. I need not describe the distresses and losses of the inhabitants —several were sickened—some died. Every beast perished which could not be taken into boats or was

not seasonably driven to the high lands. All the fences with every description of improvements around and in the houses, which could float, were taken off. The time occupied by both freshes was about ten weeks; I mean the time that the water lay over the surface of Shawneetown."

It has been observed that Shawneetown was laid out under the authority and at the expense of the United States, to which is annexed a most valuable district of rich land, which with the lots of Shawneetown are directed to be offered for sale, whenever the president of the United States shall so direct, (for all the present settlers there are volunteers on public lands, and have made small temporary improvments, expecting when the sales commenced to become purchasers); but should congress determine to abandon the present plan, from this representation confirmed by others in this office equally strong and respectable, and authorise the surveyor-general to select a better spot to lay off a town upon the United States' own lands a few miles lower down on the Ohio river, the situation of which for a town, in every point of view, could not be excelled in the Illinois territory; and the monies the sale of the lots would produce, above what the sales in the present town would, will far more than cover the loss incurred by laying out the present town of Shawnee.

In this territory there is also a very valuable saline which is directed by law to be leased in such a way, that the occupants may, while the interests of the United States are secured, produce the greatest possible quantity of salt, and furnish the inhabitants of that country with this essential necessary of life at the lowest possible price.

In the Indiana territory two land offices are established, one at Vincennes, on the Wabash, and the other at Jeffersonville, on the Ohio embracing a vast extent of remarkable fertile lands. At the last mentioned office, the fractional sections lying around Clark's grant, which were not surveyed and ready for market when the sales first commenced, are now ready and will be offered so soon as the state of the country will justify the measure.

The existing laws require "that all lands forfeited for non payment, shall be offered for sale at the court house of the county in which the officers are situated," and the register and receiver at Jeffersonville represents, that the court house of their county is fifteen miles distant from their offices; that it occasions great inconvenience and derangement of their business to attend the sales at so great a distance, and urge the necessity of legislative interference for their relief.

In the state of Ohio there are six land offices established and in successful operation; one at Cincinati, one at Chilicothe, one at Zanesville, one at Marietta, one at Steubenville, and the other at Canton. The western boundary line of Virginia military reservation, embracing the lands between the Scioto and the Little Miami rivers in this state, has never yet been satisfactorily established. An essay has lately been made by commissioners appointed by the United States and the state of Virginia without success; a report of the commissioners on the part of the United States with a plat of the country and explanations, were made to congress and are on their files, giving ample information on that controverted business.

In the territory of Michigan one land office has been established at Detroit. The private claims and donations to individuals had been patented soon after the organization of this office, but before they were presented to the persons by their agent, who had them in possession, he was taken prisoner by the enemy, and states the patents were wantonly destroyed: application was made here for exemplifications, but, owing to the situation of the territory at that time, and the very limited means allowed to perform the complicated duties assigned us, they have not been issued.

In the Mississippi territory there are three land offices established; one at Huntsville, in Madison county, one at Washington, west of Pearl river, and the other at Fort St. Stephen's, east of Pearl river.—In this latter district, the register of the land office states, that a number of persons obtained certificates of pre-emption to land, to the amount in the whole of 21,930 acres of land, and that the time had elapsed wherein they were bound to complete the whole of their payments, but that they have never paid one cent therefor. These lands are therefore reverted again to the United States, most of which would now sell, but it requires an act of the legislature to authorise their sale.

In this district the whole of the rich and valuable lands ceded by the Choctaws, and laying along the Tombigbee, are surveyed and ready for market. By the articles of agreement and cession made between the United States and the state of Georgia, on the 24th of April, 1802, the United States are bound to pay to the state of Georgia, out of the first net proceeds arising from the sales of the land ceded, after deducting the expences incurred in surveying and incident to such sales, the sum of one million two hundred and fifty thousand dollars; only forty-six thousand three hundred and thirty-two dollars and seventy cents of which have yet been paid in arms under the act of April, 1808.

From this view of the state of the public lands, it will appear, that, independent of the lands now offered for sale at the several land offices established by law, we have nearly ready to add thereto the balance of the Choctaw purchase, and the forfeited pre-emptions in the Mississippi territory, the eastern and western land districts in the state of Louisiana, the Kaskaskia and Shawneetown districts in the Illinois and the fractions around Clark's grant in the Indiana: and so soon as the laws can be carried fully into effect, and the lands surveyed, the district north of Red river, and the lands to which the indian title has been extinguished in the territories of Missouri and Michigan.

The commissioner of the general land office, considers it his duty farther to state, that upon the organization of this office, the public business assigned to it was greatly behind. Patient industry and incessant application has done much, but the examination of and auditing the quarterly accounts of the receivers of public monies, present such an immense load of labor, that he is compelled to solicit additional aid in the estimates for the year 1814, for clerk hire; for, by a decision of the comptroller, as the proper law officer of the treasury department, the commissioner of the general land office is compelled to examine and audit all the accounts of the receivers of public monies as far back as the year 1801, and the immense mass of business is pressing, for some of the late receivers are indebted to the United States in large amounts, and suits cannot be commenced by the comptroller until their accounts are examined and audited.

All which is respectfully submitted by your most obedient servant,

EDWARD TIFFIN,
Com. of Gen. Land Office.

*The hon. Speaker of the*
*House of Representatives.*

# Treasury Report.

In obedience to the directions of the "act supplementary to the act, entitled an act to establish the treasury department," the acting secretary of the treasury respectfully submits the following

REPORT AND ESTIMATES.

| | | |
|---|---|---|
| The monies actually received into the treasury during the year ending on the 30th of September, 1813, have amounted to, viz: | | $37,544,954 93 |
| Proceeds of the customs, sales of lands, small branches of revenue and re-payments | 13,568,042 43 | |
| *Proceeds of loans, viz* | | |
| Loan of eleven millions under the act of March 14, 1812, | 4,337,487 50 | |
| Do. of sixteen millions under the act of Feb. 8, 1813, | 14,488,125 | |
| Treasury notes under the acts of June 30, 1812, and Feb. 25, 1813, | 5,151,300 | |
| | 23,976,912 50 | |
| As will appear by the annexed statement E. | 37,544,954 93 | |
| Making, together with the balance in the treasury on the 1st of October, 1812, which was | | 2,362,652 69 |
| An aggregate of | | 39,907,607 62 |
| The payments from the treasury during the same period, have amounted to, viz. | | $32,928,855 19 |
| For civil, diplomatic and miscellaneous expences, both foreign and domestic | 1,705,916 35 | |
| Military department, including militia and volunteers, and the indian department | 18,484,750 49 | |
| Navy, including the building of new ships, and the marine corps | 6,420,707 20 | |
| *Public Debt.* | | |
| On account of interest | 3,129,379 08 | |
| Principal reimbursed | 3,197,102 07 | |
| | 6,317,481 15 | |
| As will also appear by the annexed statement F. | 32,928,855 19 | |
| And left in the treasury on the 30th Sept. last | | 6,978,752 43 |
| | | 39,907,607 62 |

The accounts for the fourth quarter of the year 1813, have not yet been made up at the treasury, but the receipts and expenditures during that quarter have been nearly as follows:

| | |
|---|---|
| Receipts from the customs, sales of lands, and small branches of the revenue, about | 3,300,000 |
| Loan of sixteen millions | 1,500,000 |
| Do. of seven and a half millions | 3,850,000 |
| Treasury notes | 3,680,000 |
| | 12,330,000 |
| Making, with the balance in the treasury on the 1st Oct, 1813, of | 6,978,752 43 |
| An aggregate of about | 19,309,000 |
| *The disbursements have been* | |
| For civil, diplomatic and miscellaneous expences, about | 400,000 |
| Military department | 5,88.,747 |
| Naval department | 1,248,145 10 |
| Public debt (of which near 6,000,000 was on account of the reimbursement of principal) | 7,087,994 95 |
| And leaving in the treasury, on the 31st December, 1813 about | 4,685,112 95 |
| | 19,309,000 |

Of the sums obtained on loan during the year 1813, and included in the receipts above stated, an account of the terms on which they were made has been laid before congress, excepting as to the treasury notes issued under the act of February 25, 1813, and the loan of seven and a half millions obtained under the authority contained in the act of the 2nd of August, 1813. The annexed statement marked F. will show the whole amount received for treasury notes during the year 1813, and at what places they were sold or disposed of. Three millions, eight hundred and sixty-five thousand, one hundred dollars, of the notes issued under the act of June 30th, 1812, became due in the course of the year 1813, or in the present month of January, and have been paid off, or the funds placed in the hands of the commissioners of loans for that purpose.

The papers under the letter G. will show the measures taken under the act of August 2nd, 1813, authorising a loan of seven millions, five hundred thousand dollars, and the manner in which that loan was obtained. The terms were 88 dollars and 25 cents in money, for 100 dollars in stock, bearing an interest of six per cent.; which is equivalent to a premium of 13 dollars 31 cents and four ninths of a cent on each hundred dollars, in money, loaned to the United States. Of this sum of 7,500,000 dollars about 3,850,000 dollars were paid into the treasury during the year 1813, and the remainder is payable in the months of January and February, 1814.

*For the year 1814, the expenditures, as now authorised by law, are estimated as follows:*

| | | |
|---|---|---|
| 1. Civil diplomatic and miscellaneous expenses | | $ 1,700,000 |
| 2. Public debt, viz: | | |
| Interest on the debt existing previous to the war | 2,100,000 | |
| Ditto on the debt contracted since the war including treasury notes and loan for the year 1814 | 2,950,000 | |
| | 5,050,000 | |

| | | |
|---|---|---|
| Reimbursement of principal, including the old six and deferred stocks, temporary loans and treasury notes | 7,150,000 | |
| | | 12,200,000 |
| | | 13,900,000 |
| 3. Military establishment, estimated by the secretary of war for a full complement (including rangers, sea-fensibles and troops of all descriptions) of 63,422 officers and men and including ordnance, fortifications, and the Indian department, and the permanent appropriations for Indian treaties, and arming and equipping the militia | | 24,550,000 |
| 4. Navy, estimated for 15,787 officers seamen and boys, and for 1,869 marines, and including the service of two 74 gun ships for four months, and three additiona frigates for six months of the year 1814, and the expenses of the flotillas on the coast and on the lakes | | 6,900,000 |
| Amounting altogether to | | $45,350,000 |

*The ways and means already provided by law are as follows:*

1. Customs and sales of public lands. The net revenue accruing from the customs during the year 1812, amounted, as will appear by the annexed statements A. and B. to 13,142,000 dollars. Of this sum, about 4,300,000 was produced by the additional duties imposed by the act of July 1, 1812. The duties which have accrued during the year 1813, are estimated at 7,000,000 dollars. The custom-house bonds outstanding on the 1st of January, 1814, after making a due allowance for insolvencies and bad debts, are estimated at 5,500,000 dollars; and it is believed that 6,000,000 dollars may be estimated for the receipt of the customs during the year 1814. The sales of public lands during the year ending September 30th, 1813, have amounted to 256,345 acres, and the payments by purchasers to 706,000 as will appear by the annexed statement C. It is estimated that 600,000 dollars will be received into the treasury from this source during the year 1814. The sum, therefore, estimated as receivable from customs and lands, is $6,600,000

2. Internal revenues and direct tax. From the credits allowed by law on some of the internal duties, and from the delays incident to the assessment and collection of the direct tax, it is not believed that more ought to be expected to come into the treasury during the year 1814, than the sum of 3,500,000

3. Balance of the loan of seven and a half millions, already contracted for 3,650,000

4. Balance of treasury notes already authorized, 1,070,000

5. Of the balance of cash in the treasury on the 31st December, 1813, amounting, as is above stated, to about 4,680,000

There will be required to satisfy appropriations made prior to that day, and then undrawn, at least 3,500,000

And leaving applicable to the service of the year 1814, 1,180,000

16,000,000

So that there remains to be provided by loans, the sum of 29,350,000

$45,350,000

Although the interest paid upon treasury notes is considerably less than that paid for the monies obtained by the United States on the funded stock, yet the certainty of their reimbursement at the end of one year, and the facilities they afford for remittances and other commercial operations, have obtained for them a currency which leaves little reason to doubt that they may be extended considerably beyond the sum of five millions of dollars, hitherto authorized to be annually issued. It will, perhaps, be eligible to leave to the executive, as was done last year, a discretion as to the amount to be borrowed upon stock or upon treasury notes, that one or the other may be resorted to, within prescribed limits, as shall be found most advantageous to the United States.

The amount estimated to have been reimbursed of the principal of the public debt during the year ending on the 30th September last, including treasury notes and temporary loans, will appear by the estimate marked D. to have been 3,201,368 dollars. As the payment on account of the loan of sixteen millions had not then been completed, and the stock had, consequently, not been issued therefor, it is not practicable to state, with precision, the amount added to the public debt during the year; but, after deducting the abovementioned reimbursement of 3,200,000 dollars, this addition will not fall short of 22,500,000.

The plan of finances proposed at the commencement of the war, was to make the revenue, during each year of its continuance, equal to the expences of the peace establishment, and of the interest on the old debt then existing, and on the loans which the war might render necessary, and to defray the extraordinary expences of the war out of the proceeds of loans to be obtained for that purpose.

The expenses of the peace establishment, as it existed previous to the armaments of 1812, made in contemplation of war, but including the eight regiments added to the military establishment in the year 1808, and the augmentation of the navy in actual service, authorised in 1809, amounted, after deducting some casual expenses of militia and other incidental items, to about $7,000,000

| | | |
|---|---|---|
| The interest on the public debt, payable during the year 1814, will be, on the old debt, or that existing prior to the present war, | $2,100,000 | |
| On the debt contracted since the commencement of the war, including treasury notes and allowing $560,000 for interest on the loan, which must be made during the year 1814, a sum as small as can be estimated for that object, | 2,950,000 | 5,050,000 |
| Making | | $12,050,000 |

The actual receipts into the treasruy from the revenues as now established; including the internal revenues and direct tax, are not estimated for the year 1814, at more than $10,100,000

viz:

| | |
|---|---|
| From customs and public lands, | 6,600,000 |
| Interval revenues and direct tax | 3,500.000 |
| | 10,100,000 |

| | |
|---|---|
| If to this sum be added that part of the balance in the treasury on the 31st Dec. 1813, which has been estimated above, to be applicable to the expences of the year 1814, and which, upon the principles above stated, may be considered as a surplus of revenue beyond the expenses of the peace establishment, and of the interest on the public debt for the year 1813, and therefore applicable to the same expenses for the year 1814, which sum is estimated at | 1,180,000 |
| And making together | 11,280,000 |
| There will still remain to be provided new revenues capable of producing | 770,000 |
| | 12,050,000 |

But as the internal revenues and direct tax, when in full operation, will produce, in the year 1815, probably 1,200,000 dollars more than is estimated to be received from them in the year 1814, it will rest with congress to decide whether it is necessary that new and additional revenues should now be established. To what extent the existing embargo may reduce the receipts into the treasury from the customs during the year 1814, it is difficult to estimate, as the operation of the war had reduced the receipts from the customs nearly one half from that which was received during the year preceding the war. The former embargo reduced the revenue from the customs nearly one half the amount of that which was received during the year preceding its full operation. In this case, however, the transition was from the full receipt of a peace revenue, to the entire suspension of exportation and of foreign commerce in American bottoms. It is not, therefore to be presumed that the existing embargo will cause a reduction of the war revenue in the proportion of the peace revenue. Moreover, the effect of the act prohibiting the importation of certain articles necessarily increases the demand and enhances the value of those which may be lawfully imported, and the high price they bear will produce extraordinary importations, and in part compensate for the prohibition to export any thing in return: to this may be added, the duty on salt, the operation of which is yet but partial.

To the amount of the defalcation of the revenue caused by the embargo, whatever it may be, must be added the difference between the amount of the interest payable in the year 1814, on the loan of that year, and the whole amount of the interest on the same loan payable in the year 1815,—as well as that part of the interest which may be payable in the year 1815 on the loan of that year. The sum of these items will be required for the year 1815, in addition to the revenues now established, exeept 430,000 dollars, being the difference between the estimated increase in the receipt of the internal revenues and direct taxes and the 770,000 dollars remaining to be provided for in the foregoing estimate.

With these considerations it is submitted, whether it may not be expedient and prudent to provide new revenues capable of producing the whole or such part of the 770,000 dollars unprovided for, as may appear necessary to fulfil the public engagements and secure to the financial operations of the government the confidence, stability and success which is due to its fidelity and to the ample resources of the country.

All which is respectfully submitted. W. JONES,
Acting secretary of the Treasury.

*Treasury Department, Jan. 8, 1814.*

## Foreign Coins.

The annual report of the director of the Mint, on the subject of assays of foreign coins, contains a statement of assays of the gold and silver coins of Great Britain, France, Spain and Portugal, from which it appears—

1. That the gold coins of Great Britain and Portugal are all uniformly of the same quality, and exactly equal to that of the gold coins of the United States; and therefore their intrinsic value is at the rate of 100 cents for 27 grains, or $88\frac{8}{9}$ cents per pennyweight.

2. That the gold coins of France, especially those issued since the year 1806 inclusive, are also of a uniform quality; their intrinsic value being at the rate of 100 cents for $27\frac{351}{691}$ grains, or $87\frac{25}{100}$ cents per cwt.

3. That the gold coins of Spain are somewhat variable in their quality; their average intrinsic value being at the rate of 100 cents for $28\frac{738}{1331}$ grains, or $84\frac{3}{100}$ cents per dwt.

4. That the intrinsic value of the French crown, supposing its weight 18 dwts. 17 grs. is 110 cents and $\frac{7527}{694980}$ parts of a cent.

5. That the intrinsic value of the Spanish dollar, exclusive of those issued prior to the year 1806, supposing it of the full weight of 17 dwts. 7 grs. is 100 cents and $\frac{25035}{69498}$ parts of a cent.

## Proctor's Papers.

The following letters, found among major-genera *Proctor's* baggage captured on the Thames, unfold many curious facts—and also show that the enemy's force, white and red, was much greater in the Upper Province than has been generally supposed.

*Fort George, January* 10, 1813.

SIR,—A long letter which I addressed to you on our marine affairs for lake Erie, will I hope have reached you safely. As it becomes a matter of the greatest moment to gain as accurate information as possible, of the preparations of the enemy, as to building armed vessels and boats; I request you will be pleased to select some intelligent inhabitant in your vicinity who would undertake to proceed down the border of lake Erie, as far as in his power towards Buffalo, for the purpose of obtaining the information so essential to our plans; it would be his object to examine at all the rivers and creeks what is going forward. It would require the greatest caution and circumspection as well as secrecy on the person chosen for this service; he should be one whose habits or profession would justify his assuming the character of a person travelling on some matters of business; and to insure his attention to the objects on which he is sent, it will be advisable to agree with him for a sum to be paid him commensurate with the distance he may travel, and the information he may obtain. You will be pleased to communicate to me, for the information of major general Sheaffe, the result of the measures proposed.

I have the honor to be, &c.

CHRISTO. MYERS, *Lt. Col. Act. Q. M. G.*

*Col. Proctor*, 41st regt. &c.
Com. at Amherstburg.

OFFICIAL.

*Fort George, April* 29, 1813—9 *o'clock*, A. M.

*My dear general*—This morning at one o'clock

accounts were received here by brigadier-general Vincent, with the unpleasant intelligence that that town had been carried by a body of the enemy's troops; about 1500 troops brought up the lake in thirteen vessels, viz. two square-rigged, and the others smaller; amongst the latter were gun-boats. Detailed particulars (from sir Roger Sheaffe who was there) has not yet reached us, but we have ascertained, in addition to York having fallen, that the powder magazines there have been blown up; whether this has been accidental, or been effected by our troops in their retreat, we know not.

The grenadiers and another company of the king's were engaged. Five companies of that regiment have reached this post; two companies of the 41st on their march towards you; the first beyond Ancaster, the other at Henry's have been recalled; they are extremely much wanted here, and had they pursued their route, they would not have reached in time to act against Harrison.

The enemy on the frontier opposite to us, have received a reinforcement within these few days of nearly 3000 men; they are well furnished with boats.

You will thus perceive the critical situation in which we are placed on this line. We look with confident hope for the report of your success—and brigadier-general Vincent (who is here, and by whose directions I am writing to you) has desired me to impress upon you, what essential aid could be rendered to us, by the timely arrival here of *five hundred indians; should you have secured Harrison's army*; it is the brigadier-general's desire, and in which I most earnestly join, that you forward to us in the king's vessels to Point Abino, that number with as great expedition as possible. *In the event of your having captured Harrison's army, you will see the impossibility under existing circumstances of our taking charge of them here, and therefore brigadier-general Vincent requests you will make the best arrangements in your power to dispose of them either by securing them at one or the other of your own posts, or passing them on parole into the United States by way of Cleveland or other route, as you may find expedient*; the latter line of conduct is perhaps the most preferable on account of the state of your supplies of provisions.

Sincerely wishing every success, and hoping to send you, and receive from you, good accounts,

I have the honor to be, &c.

CHRISTO. MYERS, *Col. Act. Q. M. G.*

*Brigadier-general Proctor.*

Norton had gone towards you as far as the head of the lake, but is called back. C. M.

*Dep. Asst. Com. General's Office,*
*Amherstsburg*, 14 *Aug.* 1813.

Sir—The near prospect of a scarcity of provisions in this district is to me an object of the greatest concern and uneasiness. The whole of the flour now in store will not be more than sufficient for fourteen days, according to the quantities now issued daily, and very little can at present be expected in this district. One particular cause for this is that the two principal mills (M'Gregor's and Arnold's) are not now going for want of water. The dam of the former has been broken, and that of the latter much injured from the back water, occasioned by the great rains, &c. this year. The wind-mills at this season are of but little comparative service. The greatest part of the flour required for Detroit and Sandwich will now have to be supplied from the six hundred and seventy barrels lately brought from Long Point, by the schr. Mary (transport) and as this is all that I have to depend on, we shall very soon be in absolute want, without some very great abatement takes place in the quantities issued to indians, or some extraordinary exertions made to supply our wants from the neighborhood of Long Point. The possibility of the former is an object worth every attention, as the practicability of the latter, until our fleet are enabled to go down to Long Point is rather doubtful; by land carriage I fear little can be expected from that distance in the present state of the roads from thence.

Dep. commissary general Conche has been informed of this, in as strong language as I am master of. He has in consequence made purchases of flour at Long Point and sent an officer of his department to that neighborhood to purchase cattle for this place. For the last ten days I have stationed acting dep. asst. com. gen. Reynolds at Detroit, with a clerk of the commissarial dep. for purchasing supplies in the Michigan territory and about Sandwich. Two boats have been sent to the river Thames for flour and corn. Agents have been appointed by me here, at Sandwich, river Thames and Delaware for purchasing cattle, but with all my possible exertions, I despair of being able for any length of time, of supplying provisions to his majesty's forces in addition to the immense quantities now issued to indians; the latter I estimate at fourteen thousand rations per day at this post, Detroit and Sandwich.

It gives me additional pain to be thus obliged to trouble you. I have the honor to be, &c.

ROBERT GILMOR,
Dep. Asst. Com. General.

*Brig. Gen. Proctor, commanding, &c.*

*Amherstburg*, 13*th March*, 1813.

Sir—Eight Munseys left this on the 7th instant to reconnoitre at the Miamie Rapids, and yesterday returned *with a scalp*. They reported that the Americans are numerous, and have completed a stockade much larger than the fort here.

One hundred and twenty Indians which I had sent over the river yesterday left Brown's Town for the Rapids with six interpreters along, and by them I expect some prisoners, or some more information than we have yet had. The snow being yet deep out there, will however be no detriment to them.

Your humble servant,

M. ELLIOTT.

Brig. gen. Proctor.

*Amherstburgh, 8th Sept.* 1813.

Sir—A few days ago, I sent out to Sandusky some of the Hurons of Brown's Town to see what those of Sandusky were about; they found the Americans had taken them into the state of Ohio, on Mad River, where they are guarded by a number of Americans. The Crane told the messengers that there were 9000 men raising within twelve miles of that place, and that their intention was to advance to the foot of the Rapids and fortify themselves there, building block-houses on their way to that place, at the distance of every five miles, and to cross in winter on the ice, and attack and take this place, and afterwards sweep the English from this along into the sea. In consequence he sent a message to the Hurons and other nations (which was yesterday delivered in my presence) to withdraw themselves from this and join him on Mad River, where they and their property would be safe. That if all did not attend to his advice, he hoped some who had any regard for their lives would go and join him.

A Shawanoe informs me that he saw 300 troops advancing towards fort Wayne—report however said 200. The said Indian came from the Ottawa towns.

I have the honor to be, sir, &c.

M. ELLIOTT.

Gen. Proctor, commanding.

*Head of Lake Ontario*, 4*th June*, 1813.

My dear general—A series of misfortunes have suddenly befallen us. Perhaps before you receive

this you will have learnt that the army under general Dearborn crossed the Niagara line on the 27th ult. and after being most gallantly opposed by part of the king's Newfoundland and Glengary regiments, got possession of fort George, and compelled the whole of our troops to retire upon this position.—Here general Vincent means to make a stand, but in the event of his being beat, and forced altogether to retire to Kingston, he is directed by the orders which I yesterday brought him, to detach to your assistance the remainder of the 41st regiment, two companies of the Newfoundland, and the remainder of the three companies of the Glengary regiment.—The companies of the two latter corps are much weakened by the action of the 27th.

I learn with infinite regret, your distressed situation for want of provisions, and it is certainly unfortunate that a considerable quantity of pork, intended for your use, was destroyed at Point Abino, for fear of falling into the enemy's hands. I hear you have flour enough, and I hope you will have plenty of fresh beef. It is said that the enemy have detached troops against you. Your situation, it must be owned, is sufficiently embarrassing; but Sir George, on my leaving him, knowing but imperfectly the events here, and still more so, those of your neighborhood, relies with confidence on your zeal and ability—certain that the most indefatigable exertions will be made on your part in defence of your post, *and of the squadron, which (whatever may happen) must not fall into the hands of the enemy.*

Our fleet under sir James Yeo, is now on the lake, determined to fight: *and at present fully able to beat the enemy's.* All are anxious for the meeting, for a naval victory on our part would soon restore matters to their usual flourishing state. Colonel Baynes, with a force of only 800 men, attacked Sackett's Harbor on the 29th ult. It was supposed the garrison was small, in consequence of their having detached so many men to Niagara—we found, however, upwards of 3000. Our gallant little band drove them at the point of the bayonet, into their works, (though with a good deal of loss) which were found much too strong to carry with our small force, without artillery, and unassisted by our large ships, a calm having prevented their co-operation: Thus separated we re-embarked without any opposition, having taken from them three field pieces and one hundred and fifty men.

When I left Kingston, 2000 men were on the march for that place, including 2d batalion 41st, De Watteville's and Muerone. The 13th and 98th were hourly expected to arrive at Quebec. We may look for other reinforcements from Spain, which will I hope, enable us to recover our lost ground.

I beg my best respects to Mrs. and Miss Proctor, and to Henry, and believe me, dear general,

Yours most truly, RT. M'DOUGALL.

Brig. gen. PROCTOR.

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*Head-quarters, Forty-mile creek, June 14th,* 1813.

MY DEAR GENERAL—We every day look for a reinforcement of about 400 men from Kingston. On their arrival, and should the fleet continue with us, it is intended to advance the army to 20 mile creek and throw forward our whole body of Indians, and the light troops (considerably augmented) to feel the pulse of the enemy. We have various accounts as to his force, and none to be depended upon, but his fears are said to be as strong as ever and a *ruse* of the nature above mentioned, might operate so powerfully upon him, as might induce him to think, that his own side of the river is the only place of safety.

*Our Indians* prove themselves right worthy, and right useful auxiliaries. Macbeth says, "tis the eye of childhood that fears a painted devil." But it is so far lucky, that our opponents are mere infants in the sublime science of war. Now, as you are perhaps encumbered with too many mouths, considering your scanty means of filling them, you perhaps might be able to prevail on two or three hundred more of *your swarthy warriors* to join us here. They would be invaluable under our present circumstances, and you might fairly tell them, that a great effort is to be made to drive their enemy and ours across the St. Lawrence; and once effected, I do most positively believe they will never renew the attempt. Remember me to cols. Warburton, Dickson and Mouckler, and believe me always, yours,

RT. M'DOUALL.

Brig. Gen. PROCTOR, *Sandwich.*

*Amherstburg, 27th Oct.* 1812.

SIR—I have seen a letter from you to colonel St. George, mentioning that three Frenchmen had been killed near Sandusky. That it is the case, is true; but the Indians having seen them in an enemy's country, and those people being actually resident for a long time past there, occasioned them being taken for enemies. They had been on board the vessel, and had gone ashore to get something more of their property on board, and the Indians having no knowledge of the circumstance, and not knowing them to be Canadians, consequently shot them.

I shall drop down to-day to the mouth of the river, and to-morrow morning will set up the Miami bay.

I have the honor to be, &c.

M. ELLIOTT.

P. S. Col. Clure writes me, that they expect another attack soon, and says they will require assistance from this place. If you have any commands on the subject, I should be glad to know, and your opinion.

Col. PROCTOR, &c. &c. &c. *Detroit.*

*Copy of a letter from the commissary of the upper district of Upper Canada, to his superior below.*

Deputy assistant commissary-general's office,
Amherstburg, 6th August, 1813.

*Edward Conche, esq.*

SIR—Your letter of the 26th ultimo, with two thousand pounds currency in army bills, were delivered to me by Mr. Charles Askin on the 29th.

I am extremely happy to find that I may expect liberal supplies of flour from Long Point, the more so as the two principle mills (M'Gregor's and Arnold's*) are not now going—the dams are broke and and I am informed that it is more than probable, will not be prepared and filled with water till late in the fall, thus the wheat on hand and that now cutting in this district, will be of little immediate service to me for want of mills to grind it. The wind-mills at this season of the year do very little service.

I have been abundantly supplied with cattle for this some time past, though my issues have averaged about 17 head per diem—but should the Indians remain with us, and in addition to the quantities of meat, &c. issued by me, continue their wanton and extensive depredations on cattle of all descriptions, a short period will put an end to our supplies of this article. I have now in my possession, to be submitted to brig-gen. Proctor, accounts to near two thousand pounds for working oxen, milch cows, sheep, hogs, &c. killed by Indians, and I presume accounts to at least as much more, will be given in addition thereto. Some of those cattle have been killed without any meat having been taken from them; in other instances the horn and tail seem to have been the cause of shooting down the animal—these being cut

*The former was burnt by the Indians in the skirmish of the 4th October at the Forks. The latter very wantonly by a British officer on the 5th.

off, the carcase is left to to the dogs. In addition to about 14,000 *rations per day*, can a new country like this supply sufficient provisions for our consumption? The commissary general cannot expect from me any particular accounts of the resources of the country under such circumstances. I can only say, that for 2000 men, I could easily supply provisions for six months in conformity to general orders, mentioned in your letter of the 18th ult. Since then I have been feeding about 15,000 *troops, Indians*, &c. from what I presume the commander of the forces has as little idea of the provisions required for this post, as others seem to have of the difficulties to be surmounted by me, and the immense labor to be performed, otherwise I can scarcely suppose that I should have been so long without more assistance. I have now given up the idea of making up my accounts till assistance as required by me, are sent. I find such difficulties in procuring flour, corn, &c. sufficient to feed such *hordes of savages*, in paying therefor, and money to do so, finding materials for all departments of the army here, that the business of the day is more than sufficient to employ the whole of the time of myself and my small establishment. Hence my reason for applying for an officer of the department to be put over me. I find more expected of me than all my abilities and zeal can perform—my accounts getting in arrears, and the miserable prospect before me, of getting embarrassed beyond the possibility of extraction—of perhaps involving myself and family in ruin from getting so involved. I was in hopes that as a number of officers of the commissariat, superior to me in rank, and likely in abilities and practice, had arrived from England—others promoted in this country—that one of them might have been sent here to take charge of a district which I consider inferior to none in Canada in point of responsibility and commissariat duties.—At the same time, I should be far from wishing more than can be asked with propriety or granted without ruining my prospects in the department, after 15 years faithful services.

I am very happy that you are sending me a supply of oats, in addition to the 30 barrels mentioned by you—I will require about 60, provided you can spare so much. I beg to be informed what quantity of that article is issued to the troops in your district.—Brigadier-general Proctor requires some for their horses, though I cannot get him to give out a general order on that subject. I have to acknowledge your letter of the 24th ult. and beg leave to state, that on the receival thereof I could not pay the accounts to the 41st regiment on account of the paymaster, as well as the commanding officer, being at the fort of the Rapids. Since their return I have been prevented from making payments for want of money, a supply of which I hope soon to receive on a larger scale than hitherto. The escort of dragoons with the 4000 dollars in specie has not yet arrived.

P. S. I sincerely hope that the transport Mary will soon arrive with more flour—I am really out. I have sent Mr. Reynolds and one of my clerks to Detroit to purchase the whole of the flour and corn that they can get in the Michigan territory and in the neighborhood of Sandwich. I pay $10 per bbl. of 196 lbs. for flour, and 7*s.* 6*d.* per bushel for corn. I understand that the schooner Ellen is to be sent for provisions to Long Point in a few days.

# Events of the War.

## MISCELLANEOUS.

Russian Mediation.—The people now have the facts before them by which they may judge the real character of the proffered mediation of *Russia*, to effect a peace between the United States and Great Britain. It may be useful to call to mind the things that were said, in the most *wicked* manner, as to the proposal, acceptance and object of that interference; not with a hope to reclaim a wayward party, struggling to wade through falsehood to power, or with the least expectation that its cheek will be tinged with shame at an exposition of its conduct—but to put our fellow-citizens on their guard hereafter, and assist them to appreciate those that would consider an honorable peace with *Great Britain* as the "heaviest of curses" [see page 311] if "*it should be made without a change of our rulers.*" Miserable sinners!—they call themselves of the "*peace* party."

1. It was absolutely denied that *Russia* had offered her mediation at all. The whole was declared to be a cheat of *our* government, to amuse and gull the people of the United States. The *honor* of several busy personages was pledged to prove this; and the *impudence* of their assertions deceived many of our citizens.

2. It was said, a million of times over, and believed by thousands, from the mere force of the oft repeated falsehood, that our commissioners had orders leading to a secret connection with *Bonaparte*—nay, it was insinuated that they had really gone out to meet the congress at *Prague;* though the *events*, out of which that proposed conference grew, had hardly happened in *Europe* before the appointment was made in *America:* all this was said and solemnly declared to, though Mr. *Bayard*, one of the most distinguished *gentlemen* in opposition to Mr. *Madison*, had been by him appointed one of the commissioners.

3. We were told, over and over, and over again, until, perhaps, they who *made* the story *almost believed* it, that our commissioners had never been recognized by the *Russian* government—and many carried the fraud so far as to depose that they had been dismissed, ordered off, and treated as the agents of the "tyrant Napoleon."

Having thus pointed out some of the things that have happened, without laying claim to the "fillet" we venture to predict the course that will be pursued:

*Great Britain* has offered to negociate, and our government [without taking time to consult *Bonaparte*] has accepted the proposition. The *business* of these men will be to render the negociation vain, if it be possible, by deteriorating from and *belittleing* [the word suits the idea] the resources of their own country, that the enemy may assume a ground we cannot meet him upon;—that the "heaviest of curses"—an immediate *peace*—may be avoided.

We hope the effort may fail. They have deceived the *British* ministry so often, that I do not think any thing else than open rebellion will induce the *Guelphean* cabinet to believe they are in earnest. Being myself a *real* friend of peace, I care not where, when, how, or by whom it is made; provided only, it be an honorable peace—a peace that shall secure the great principles for which the sword was reluctantly drawn.—And have only to add, that government, always misrepresented as the enemy of the *merchant*, is entitled to, and ought to receive, the sincere and hearty thanks of every [honest] dealing man in the union, for the promptitude with which it laid before the public the state of our foreign relations, in matters of so great interest, that every one might judge and act for himself.

High treason.—Two persons were committed to *Boston* jail on the 2d inst. charged with supplying the enemy with cattle.

SPIES CAUGHT.—A *New-Haven* paper of January 5, says—Two persons have been detected in fort Trumbull, New-London, as spies, (one of them dressed in a woman's apparel) by a private in the fort. They had been on board the American squadron and in fort Griswold. They were sent on board the frigate United States. The one in woman's clothes proves to be the second-lieutenant of the Ramilies. [We have no confirmation of this.]

THE EMBARGO.—In ridicule of that provision in the embargo law designed to prevent a traffic with the enemy, and compel that honesty which patriotism could not inspire, the following is published in a Boston newspaper: we preserve it as a curiosity—*Boston, January 5.*—The following is a copy of a coaster's manifest, hence to Welfleet, under the present liberal arrangement of our penny wise government:—170 lbs beef, 1 barrel flour, 1 hog, 6 bushels corn, 1 bbl. apples, 1 bushel dried apples, 25 lbs. cheese, 20 lbs. butter, 1-2 bushel beans, 1 lb. tea, 1-2 lb. pepper, 1-2 lb. ginger, 2 lbs. coffee, 2 lbs. chocolate shells, 1 doz. cabbages, 14 lbs. candles, 12 bushels cranberries (a penny biscuit and a 2 copper candle.)

RETALIATION.—Ten of the warranted officers of the Chesapeake frigate, having been released from close confinement in Halifax, the ten British officers who were closely confined in Ipswich jail, in retaliation, have been likewise released.

COLONIAL PRODUCE.—Very large quantities of sugar and coffee have lately been received in the eastern ports, through "neutrals" and some American vessels, from Havanna, St. Bartholomews, &c.

BRITISH TRAFFIC.—We have several times noticed the active trade of the enemy in the *Chesapeake* in the *article* of slaves, kidnapped or enticed from their masters, and sent to the *West Indies* for sale. The law of Great Britain is pointedly against such introduction, but the officers of the navy "*want money and must have it.*" The governor of Virginia has officially communicated to the legislature this *war* of the enemy, stating the fact that they were so taken possession of, transported and sold. He recommends the passing of a law authorising the county courts to take depositions for the purpose of authenticating these losses—as "upon the termination of the war, a rational hope may be indulged, either that the enemy will be made to compensate for those injuries so repugnant to the principles of civilized warfare, or, if the government should deem it wisest with a view to the interest of the whole to forbear to press the point, it will itself indemnify them."

SIR GEORGE PREVOST.—The general order of this officer, inserted below, has excited great indignation, and met with the reprehension it deserves. It is infamously false. *France* is not "the ally of the United States." It is notorious, that even that good understanding that should exist between all nations at peace with each other, does not belong to the two countries. On the contrary, we have such serious matters in dispute with her, that, though she is invulnerable by us, we should have declared war against her long ago for the maintenance of *principles* violated, if the more extensive trespasses on the rights of *persons*, as well as of property, by her enemy, *Britain*, had not compelled us first to try to "square the yards" with the latter. This is perfectly known to sir *George*—and also, that at this time, instead of of our being in an *alliance* with France we are nearer to a state of *war* against her: and so have been for years. But this is the old clamor of *prejudice*—another *British* general, *Benedict Arnold*, had the *honor* first to cry out "*French influence;*" and we think, if the baronet knew how stale and unprofitable that stuff has become amongst us, he would not have vexed his conscience with the sin of uttering it, seeing he can make so little by it. As to the clamor *here*, it is "meat, drink, washing and lodging" to many that, without it, could not make a speech or write a paragraph—but sir *George's* brains we had hoped were better stocked with ideas.

A DESERTER.—Among the late deserters from the Albion is an Irishman, who said "he had often heard much of America, and guessed he would take a peep at some parts of it before he returned back again."

MANAGEMENT. If we could believe all that we see in the papers, it would appear, that Mr. *Madison* had induced lord *Castlereagh* to send out the *Bramble* with depatches, just that he [the president] might effect another loan! Certainly his lordship is a very obliging gentleman!

DIRECT TAX. The stake of *Kentucky* has assumed the payment of its quota of the direct tax. *Virginia* has done so *like-wise*.

BRITISH COURTESY! A Boston paper says—"We understand that on Christmas night, captain Hayes, of the Majestic, sent a very polite card ashore to the ladies at Provincetown, informing them that he should give a genteel ball that evening, on board his ship, and hoped to have the pleasure of *their company.*" But the ladies declined the invitation.

SOUTH WESTERN FRONTIER. The accounts from *Mobile* are contradictory. While some say that a large British [land] force has arrived at *Pensacola*, and united itself to the savages; others report, the enemy have no troops at all, and that their vessels are badly manned. The latter is by far the most probable. The whole coast is closely blockaded.

AMERICAN BANKRUPTCY. The United States stocks are selling in LONDON at *ten per cent. above par*, and vast quantities are ordered, or about to be sent there. How much *above par* would the *British* stocks bring in *our* money market? We care not how much of our stocks go to *Europe*, but hope the marshals and their deputies will keep a sharp look out for the precious metals, which the avarice of many may tempt them to export, contrary to law—they are at 30 or 40 *per cent.* advance, in *Great Britain.*

BALTIMORE VESSELS. A very large portion of the honest foreign trade of the United States, for some time past, has been carried on in *Baltimore* vessels, under the "*striped bunting.*" During the last week or ten days, there was entered on the coffee house books, notices of the safe arrival of from *three* to *six* vessels a day, for several days, with valuable cargoes. These wonderfully constructed schooners cannot easily be taken, if not over-loaded, if they have sea-room and are uncrippled, and properly managed. Since the war we have lost but four of our privateers—one of them was land-locked and taken in the *Chesapeake* bay—one was captured after a severe gale in which which she had suffered much—one was given up by cowardice, and the other was taken for want of a good look-out. They go where they please; they chase and come up with every thing they see, and run away at pleasure. What would be the effect of thirty or forty of these vessels (commanded by persons accustomed to sail them) *let loose* on the enemy's commerce, to destroy; under direction of the navy department?

OUR RESOURCES.—Those who doubt the ability of the United States to extinguish the war debts, are invited to look at the report of the commissioner of the land-office for the amazingly valuable *capital* we possess, in addition to *all* the other means of raising a revenue, common to nations. On some of the lands of which that respectable gentleman speaks, sugar, of a *superb* quality, has been raised by the Indians, and exhibited at *New-Orleans*. All this sort of land, and there appears a very large quantity of it, if pre-

perly taken care of, will bring from 1 to 300$ *per acre*, in a very little time. Our country is full of money—the legislatures of *New York* and *Pennsylvania* are asked to charter about a *half a hundred* of banks, with good solid capitals. The whole amount of money, at this time petitioned (to congress and the several state legislatures) to be invested in stocks, is about 60 millions.

GEN. HULL.—The court for the trial of gen. *Hull* met at *Albany*, and was organized, as appointed by the secretary of war. The general did not object to any of the members. The trial will be very tedious. Many of the witnesses did not appear.

THE PEACE RUMORS.—Several correspondents have asked the editor *his* opinion of the prospect of peace. That opinion would be worth little, if he could give one, which he confesses himself unable to do. He hopes that a looking for that blessing, may not relax the exertions to win it.

BRITISH NATURALIZATION.—*London, Oct.* 18. On Tuesday, 52 Dutchmen, volunteers for the 7th battalion of the 60th regiment, marched into Edinburgh castle. This battalion which is to serve in Canada is to be augmented to 1500 men; and we understand, have given orders to enlist Dutchmen as well as Germans, for it at all the depot in the kingdom.

*Adjutant-general's office, head quarters,*
*Montreal 12th December*, 1813.

GENERAL ORDER.—His excellency the governor in chief and commander of the forces has to announce to the troops under his command, that he has received a communication from major-general Wilkinson, commanding a division of the army of the United States of America, by order of his government, of which the following is an extract.

"The government of the United States adhering unalterably to the principle and purpose declared in the communication of general Dearborn to you, on the subject of the twenty-three American soldiers, prisoners of war, sent to England to be tried as criminals; and the confinement of a like number of British soldiers, prisoners of war, selected to abide the fate of the former, has, in consequence of the step taken by the British government, as now communicated, ordered forty-six British officers into close confinement, and they will not be discharged from their confinement until it shall be known that the forty-six American officers and non-commissioned officers in question are no longer confined."

It would be superfluous to use any argument to refute an assumption so extravagant, unjust, and unprecedented, as to deny the right of a free nation to bring to legal trial, in a due course of law, her own natural born subjects taken in the actual commission of the most henious offence that man can commit against his king, his country, and his God that of raising his parricidal arm against his allegiance to his countrymen, by leaguing with their enemies, a crime held in such abhorrence by every civilized nation in Europe, that summary death by the law martial is its avowed reward, and is inflicted with unrelenting severity by France the ally of the United States. This pretension must appear to every unprejudiced and upright mind, as iniquitous and unjust, as is the retaliation which the government of the United States has adopted, by placing in close confinement three and twenty British soldiers, as hostages for an equal number of infamous wretches, the unworthy offsprings of Great Britain; who, when drawn from the ranks of the enemy, solicited to be suffered to expiate their treason by turning their arms against their recent employers. These rebels have, with the contempt they merit, been consigned to the infamy and punishment that await them from the just laws of their offended country; while the government of the United States does not blush to claim these outcast traitors as their own, and outrage the custom of civilized war, in the persons of honorable men, by placing them on a par with rebels and deserters.

No alternative remains to the commander of the forces, in the discharge of his duty to his king, his country and his fellow soldiers, but to order all the American officers, prisoners of war, without exception of rank, to be immediately placed in close confinement as hostages for the forty-six British officers so confined, by the express commands of the supreme authority in that country, until the number of forty-six be completed, over and above those in confinement.

His excellency directs that this general order, together with that issued on the 27th Oct. be read to the troops, that the British soldiers may be sensible of the terms on which America has determined to wage this war; confident, that he will meet them with proper spirit and indignation; for should he become the prisoner of a foe so regardless of those laws which for ages have governed civilized nations in war, he would be doomed to a rigorous confinement, and that perhaps only preparatory to a more savage scene.

(Signed) EDWARD BAYNES,
Adjutant general B. N. A.

## MILITARY.

*The Creeks.* We have no late important particulars of the war with the Creeks. We apprehend that the pursuit of them has been retarded from the expiration of the term of service of a considerable part of the *Tennessee* militia. It appears, however, that some volunteers had marched to join Jackson, and that active operations might soon recommence. General *Floyd*, recovering of his wounds, was expected to resume the command of the *Georgians*. One account says, that 3000 warriors of the friendly Creeks had rendezvoused at *Cowetaw*, to act as directed.

It is stated that brigadier-general *Parker*, of the U. S. army, is to have the command at *Norfolk*.

Certain British vessels lying off *Pensacola* have undertaken to interdict all intercourse with that port and every place to the westward of it. They capture every thing—*Spanish* vessels, as well as others. It is stated they have proposed to send two regiments of black troops to help in the defence of that place. It is also said that the Big Warrior has defeated the rebels [Indians] in a general engagement, many of whom have fled to Pensacola for refuge. The Big Warrior is a friendly Creek.

## THE NIAGARA FRONTIER.

We confined ourselves for two weeks to a brief notice of the facts and reports that had reached us from the *Niagara* frontier, as well of the difficulty to ascertain *what was truth*, as from the desire of at once presenting a regular detail of events. The following brief summary, with the documents annexed, will preserve the history of this disgraceful and calamitous descent of the enemy.

The evacuation of fort *George* and burning of *Newark* has already been stated, and is further accounted for below. On the *eighteenth* of Dec. gen. *M'Clure*, at *Buffalo*, addressed a proclamation to the inhabitants of Niagara, Gennessee and Chetauque counties calling upon them to take up arms, as an attack upon *Niagara* would be made [see the note below.*]

**To the inhabitants of Niagara, Gennesee and Chetauque.*

The present crisis is truly alarming. The enemy are preparing to invade our frontier, and let their savages loose upon your families and property. It is now in your power to avoid that evil, by repairing to

On the *nineteenth*, about 3 o'clock in the morning, the British after *several days* notorious preparation, crossed the *Niagara* river with a force variously stated, but perhaps, amounting to about 1200 regulars, 200 militia and 200 indians. They landed at Five Mile Meadows, without opposition, being *unseen*. A detachment under col. *Murray* immediately marched to fort *Niagara*—a discharge of small arms was heard for a little space, but soon the royal salute of 21 guns proclaimed the complete surprize or vile treachery of the officers of that garrison.—The commandant, capt. *Leonard*, was *absent—he left his post late at night*—the *main gate*, [it is said and we believe it] was left open. WHO OPENED IT?—This gate had always (as well in the day as the night) been kept closed, except for the *moment* when a heavy carriage was entering, at which time a responsible officer attended. The gate must have been opened late at night; it could not have been so when the garrison went to *sleep*. We shall not make the remarks on this matter that the thing appears to deserve.

Very soon after the salute was fired, a party of the enemy appeared at *Lewiston*, at which place was stationed 30 or 40 militia, with a field piece. It does not appear that they done much for the defence of the place; to which, indeed, their force was incompetent. A general flight ensued—the indians entered, and began to *plunder*, to BURN and to MURDER. A letter to the editor says "they killed at and near Lewiston, eight or ten of the inhabitants, who when found, were all scalped, with the exception of one whose head was cut off; their bodies were in a mangled state; *one with his entrails taken out, and heart missing*; the bodies were stripped and a part of them buried; among the bodies found was that of a boy ten or twelve years old, stripped and scalped."

As they approached the *Tuscarora* [Indian] village, the indians turned out for defence of their homes, and killed one of the enemy indians—this made a little pause, but the enemy soon fired the houses, and destroyed the whole. They also *butchered* some of the flying inhabitants here. They then went on to *Manchester*, which they burnt, with the valuable mills and other buildings belonging to A. Porter, Esq. also *Youngstown* and all the farm houses adjacent, always excepting the houses of their particular friends. They wantonly destroyed every thing they could—shooting down horses, cattle, sheep and swine, and suffering them to lie where they fell. The whole number of houses destroyed amounted to about 100. One account says that the United States stores in the arsenal on the *Ridge Road* were saved—another informs us that they were destroyed by our people.

After those scenes in the neighborhood of fort *Niagara*, the enemy marched up to *Buffalo*, which they also burnt. See gen. *Hall's* letters. They committed many *murders* there, but saved the house of the famous *Pomeroy*. They destroyed three small schooners at *Black Rock*, and in fact swept the country for some miles in the interior, from Niagara to Buffalo, the extreme points of the river. Report adds that a detachment had marched for *Erie*, for the purpose of burning that part of the lake fleet that lies there; and we fear they will have effected it. The most valuable part of the squadron, we believe, is at the head of the lake; and *safe for the present*.

The events call up many reflections on the *management* on our part and the *barbarity* of the enemy. We may advert to them hereafter. We cannot, however, fail to express our detestation of those who justify these cruelties by the conflagration of *Newark*—for *they* have thought it right to burn *Havre-de-Grace*, *Frenchtown*, *Georgetown* and *Fredericktown*; and, as I live, I believe *lamented* that *Baltimore*, the third city of the union, had not shared the same fate. But we will not be discouraged—*the allied savages shall yet be beaten*.

☞There are accounts from *Erie* of the 4th inst. Early information had been received there of the events on the *Niagara*; preparations were made to meet the enemy, and the *alarm* had subsided as the means of meeting the foe were rendered efficient. It is a long and dreary march from *Buffalo* to *Erie*; and from what we hear we wish the enemy may have went forward. Our vessels were so moored in the harbor as to present a battery of 20 guns each way; and the ice had been broken around them. Volunteers had prepared to march from *Ohio*, some went from *Pittsburg*. A force will be stationed there for the present. The neighboring *Pennsylvanians* turned out with great spirit, at the requisition of major-general *Mead*.

The following *British* account of these events may serve to cap the whole—

*From the Plattsburgh Republican—Jan. 1.*

☞We stop the press to copy the following from a handbill printed at Montreal on Tuesday morning, December 28.

"Extract of a letter from an officer of high rank in the army to his friend in this city, dated Queenston, December 19, 1813.

"I have the happiness to acquaint you that fort Niagara was taken by assault an hour before daylight this morning. Col. Murray commanded the storm.

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Lewiston, Schlosser and Buffalo. Every man who is able to bear arms is not only invited but required to repair to the above rallying points, for a few days, until a detachment of militia arrives. The enemy are now laying waste their own country, every man who does not take up arms or who is disposed to remain neutral, is inhumanly butchered, his property plundered and his buildings destroyed. Information has just been received, that six or eight of their most respectable inhabitants between fort George and Queenston, have fallen victims to their barbarity. Every man in the province is required to take up arms, and he that refuses is wantonly butchered. What then fellow-citizens, have you to expect from such an enemy, should they invade your frontier? Think of the consequences; be not lulled into a belief, that because you reside a few miles from the river, that you are secure: No, fellow-citizens, the place to meet them is on the beach. Then you will have it in your power to chastise them, but should they be suffered to penetrate into the interior with their savages, the scene will be horrid!

If, then, you love your country and are determined to defend its rights—if you love your families and are determined to protect them—if you value your property, and are determined to preserve it—you will fly to your arms and hasten to meet the enemy, should they dare to set foot on our shores.

☞Since the above was prepared, I have received intelligence from a credible inhabitant from Canada, (who has just escaped from thence,) that the enemy are concentrating all their forces and boats at fort George, and have fixed upon to-morrow night for attacking fort Niagara—and should they succeed, they will lay waste our whole frontier. In that case, our supply of arms, which are deposited at fort Niagara, will be cut off: Therefore all who have arms, accoutrements or ammunition, will do well to bring them, and all who have horses will come mounted.

GEO. M'CLURE, brig. gen.
Commanding Niagara frontier.

*Head-quarters, Buffalo, Dec. 18, 1813.*

ing party,' which consisted of the 100th regiment, (the prince regent's own Irish heroes) the grenadiers, the 9th royal and flank companies of the 41st. Our loss has been but trifling—lieutenant Newland of the 100th grenadiers, killed; colonel Murray wounded through the wrist, and perhaps half a dozen other casualties: the quantity of ordinance, stores, ammunition, provisions &c. found in the place is very great: 3000 stand of arms 50,000*l* worth of clothing are among the articles: the remainder of the troops, with the whole of the western Indians, who had been passed over to support the attack, immediately after ascertaining the success of colonel Murray's column, moved towards Lewiston to attack the heights on which the enemy had planted some heavy guns, avowedly for the purpose of laying Queenston in ashes: both heights and Lewiston were, however precipitately abandoned on the advance of general Rial's column: a war-whoop from 500 of the MOST SAVAGE INDIANS (which they gave just at day light, on hearing of the success of the attack at fort Niagara) made the enemy take to their heels and our troops are in pursuit—we shall not stop until we have cleared the whole frontier. The Indians are retaliating the conflagration of Newark—*not a house within my sight but is in flames*—this is a melancholy but just retaliation.

TO THE PUBLIC.

The late descent of the enemy on our frontier, and the horrid outrages committed on our defenceless inhabitants by British allies, being laid to my misconduct as commanding officer of the American forces on this frontier, and altho' my conduct has been approved by the Sec. at War, the commander in chief of this state, and by major gen. Harris on, before his departure, still I deem it a duty which I owe to my own reputation, in order to put a stop to the evil reports which are progated against me, without knowing my orders, or the means which I had in my power to execute them, to give a brief statement of my most prominent acts since I have had the honor of so important a command.

On my arrival at Fort George, and previous to the departure of general Wilkinson with his army from that post, I suggested to the general the necessity of marching out against the enemy at Cross Roads and Four Mile Creek; that his army, with the addition of my militia were sufficient to take or destroy all the British forces in that neighborhood, which would leave nothing more for the militia to do than to protect and keep in order the inhabitants of that part of the Province, as otherwise our frontier would be liable to be invaded. This proposition, however, was not agreed to, as the general's instructions were of a different nature. The general left with me col. Scott and 800 regulars, who were to remain until I considered my force sufficient to hold the Fort without them, when they were to march to Sacket's harbor.

About the 12th of October, the British army commenced their retreat towards the head of the Lake. I issued orders for my militia to pursue, which was promptly obeyed. We advanced as far as the Twelve Mile Creek, and within a short distance of the enemy's rear guard, when Col. Scott sent and express requesting me to return, and said that he would abandon the Fort the next day, and march with his troops to Sacket's Harbor, and at the same time detained my provisions and ammunition waggons, which compelled me to abandon the further pursuit of the enemy, and induced them to make a stand on the heights of Burlington. I was then left with about 1000 effective militia in Fort George, and 250 Indians, a force not more than sufficient to garrison that post. On the arrival of general Harrison's army, I was elated with the prospect of uniting our forces, of driving the enemy from Burlington, taking possession of that post, and giving peace to the Upper Province and our frontier. We were prepared to march in 24 hours, when the arrival of Commodore Chauncey, with orders for that excellent officer, gen. Harrison, to repair immediately with his army to Sacket's Harbor. I remonstrated against his going off, as will be seen in a correspondence between the general and myself: but in vain. By which movement all my expectations were blasted, and I foresaw the consequences, unless a reinforcement was immediately sent on to supply the place of the drafted militia whose term of service would shortly expire. I considered my force which had become ungovernable, as then insufficient to go against the enemy. The object of the last expedition to the Twenty Mile Creek is fully explained in the general order which I issued on my return.

For six weeks before the militia were discharged I wrote, and continued writing, to the secretary at war the necessity of sending on a detachment of militia or regular troops; that I found it impossible to retain the militia in service one day beyond their term; I also stated, from the best information, the enemy's forces. I offered a bounty of two dollars per month, for one or two months, but without effect. Some few of col. Bloom's regiment took the bounty, and immediately disappeared, and I was compelled to grant a discharge to the militia and volunteers, which left me with about sixty effective regulars of the 24th U. S. infantry under captain Rodgers, to garrison Fort George. I summoned a council of the officers, and put the question ——'Is this fort tenable with the present number of men?' They unanimously gave it as their opinion that it would be madness in the extreme to pretend to hold it and recommended its evacuation immediately, as the enemy's advance was then within eight miles. I accordingly gave orders for all the arms, ammunition and public stores of every description to be sent across the river, which was principally effected, though the enemy advanced so rapidly that ten of my men were made prisoners, and ordered the town of Newark to be burnt. This act, however distressing to the inhabitants and to my feelings, was by an order of the secretary at war, and I believe at the same time proper. The inhabitants had twelve hours notice to remove their effects and such as chose to come across the river, were provided with all the necessaries of life.

I left captain Leonard in the command of Fort Niagara with about 160 effective regulars, and pointed out verbally and particularly in a general order how he should prepare for an attack, which would certainly take place I stationed Col. Groves' artillerists, consisting of about 80 men with two pieces of artillery, at Lewiston, under the command of major Bennet and made them a present of four hundred dollars for volunteering their services for three weeks; but before that place was attacked they nearly all deserted, except the officers, who bravely defended themselves and cut their way through the savages. The Canadian volunteers, about 40 in number, under major Mallory, an officer of great merit. I stationed at Schlosser, and went myself to Buffalo, to provide for the safety of that place and Black Rock, which I trust is out of danger, having called out the militia of Niagara *en masse*.

The public are now in possession of some of the leading facts which have governed my conduct in the discharge of the trust assigned me, and I appeal to the candor of every dispassionate man to determine with what justice my feelings as a citizen, and pride as a soldier, have been wounded, and my character aspersed. If insubordination to the orders of superiors are justifiable, then possibly I may have failed in my defence. If to have suppressed the risings of mutiny is reprehensible, then also am I not justified. If to have enforced the disciplinary laws of a camp is a proceeding unwarranted' then have I been in error. But fellow citizens, I do not think so meanly of you, as to credit the monstrous supposition, that you will deliberately advocate such strange hypotheses. Your prejudices against me have been the result of feelings misled by the acts of my enemies, and not the result of your sober judgment, operating upon facts and principles. Those facts are now before you. On those facts, judge me in your candor and I will abide the decision.

GEO. M'CLURE.

The following is the correspondence which passed between Gen. M'Clure and Gen. Harrison, alluded to in the defence of General M'Clure.

*From General M'Clure to General Harrison.*

Fort George, Nov. 15, 1813.

DEAR SIR,

The subject of our conversation this morning has occupied my most serious reflections. The deadly blow heretofore given to the patriotism of our citizens on this frontier, has prepared them for murmurs and complaints; those who are now on their march, have left their homes and their business, under great sacrifices, with the moral certainty of being brought into action. The last address which I issued under your directions, and which I am happy to find has met your approbation, gives them reasons for indulging the expectation of service, and they are anxious to drive the enemy from their borders forever. The high character of General Harrison, combined with these circumstances, has excited strong interest in the public mind relative to our operations.

In this peculiar situation of affairs, I feel it to be due to the gallant volunteers and Militia, who are assembled and collecting, and to my own reputation, most respectfully to solicit, that if it is not incompatible with your instructions and your better judgment, you will not abandon our projected expedition against Burlington Heights. Such is the anxious wish of the Militia, and I have no doubt the soldiers under your command are equally if not more desirous of the employment.

My anxiety on the subject, I trust, will excuse the appearance of any disrespect in making this communication which certainly is far from my feelings. My confidence in the valor, ability and prudence of General Harrison, will dispose me most cheerfully to submit to any arrangement he may be bound to make, however great may be my disappointment in their result.

I have the honor to be, with the utmost respect your obt. servt.

GEO. M'CLURE.

Maj. Gen. Harrison.

*Head-Quarters, Newark, Nov. 15, 1813.*

DEAR SIR,

Your letter to me of this morning, has been received, I feel most severely the weight of the reasons which you urge for the prosecution of the intended expedition to Burlington. The disappointment however to the brave and patriotic men, who have turned out under the expectation of serving their country effectually in the field at this inclement season, is the most painful circumstance attending it, as I am well convinced from the information received this morning, and last evening that the enemy are removing as fast as possible from the head of the lake to Kingston, which has been left with a very small part of the force that was lately there, and it is more than probable that should we advance in force, the enemy having but now——effective men at Burlington, would destroy the stores which they have remaining there, and retreat too rapidly to be overtaken; there are considerations however, which would make it extremely desirable to make an exhibition of force in that quarter, but the orders I have received from the secretary at war, leaves me no alternative. Com. Chauncey is extremely pressing that the troops should immediately embark, declaring that the navigation at this season to small vessels is very dangerous.—The force at Sacket's Harbour is ——. The troops at York are all hastening down to Kingston.———Sacket's Harbor may be endangered by even a delay of a few days; and should the troops that are here, not get down

before the lake is frozen, our fleet may be destroyed for the want of their aid. I can not therefore take upon myself the responsibility of delaying their going down even a day. Will you be so good, at a proper time, as to explain the above circumstances to the patriots who left their homes with the intention of assisting me to drive the enemy far from our borders, and assure them that I shall ever recollect with the warmest gratitude, the partiality they have been pleased to express for me and their preference of serving under my command.

I will direct payment to be made to the volunteers for rations and forage in coming out.

Accept my best wishes for your health and happiness, and believe me sincerely your friend,

WM. HENRY HARRISON.

Gen. M'Clure.

*Head-Quarters, Newark, Nov.* 15, 1813.

DR. SIR—Being ordered to return to the westward, you will be pleased to resume the command, which you received previously to my arrival at this place. The orders which you heretofore have received will govern you. It will be necessary that you keep a vigilant eye over the disaffected part of the inhabstants, and I recommend that you make use of the zeal, activity and local knowledge which Col. Willcocks certainly possesses, to counteract the machinations of our enemy and ensure the confidence of our friends amongst the inhabitants. It will, however, I am persuaded, be your wish, as it is your duty, to guard the latter as much as possible from oppression.

The volunteers which were lately called out, will be retained as long as you consider their services necessary: the drafted militia, until further orders are received from the Secretary of War.

There can be little doubt of its being the intention of the enemy to send the greater part of the troops which they have at Burlington and York to Kingston, and to make York the right of their line. They may, however, have a small command at Burlington, and those may be so securely posted as to render them safe from any desultory expedition you may set on foot; but it is desirable to have any supplies which they may have collected at————, in the neighborhood destroyed; and should the success below be not such as to promise possession of the whole of the Upper Province, ————may be destroyed.

Capts. Leonard and Reed, or either of them, are appointed to muster your troops when and where you think proper.

In closing this communication, I should not do justice to my feelings, if I were not to acknowledge the zeal and talents with which you have managed your command. Your conduct appears to me to have been extremely judicious and proper throughout, and your troops exhibit a state of improvement and subordination which is at once honorable to your officers and themselves.

I am very sincerely, your freind and obedient servant,

(Signed) WM. HENRY HARRISON.

Br. Gen. Geo. M'Clure.

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*Fort George, Nov.* 16, 1813.

MY DR. SIR—I cannot suffer you to depart from this post, without expressing to you the great satisfaction I have received from our intercourse, and my extreme regret that its continuance has been so short. You carry with you, sir, the highest esteem and the warmest admiration of every officer and soldier under my command who has had an opportunity of forming and acquaintance with you.

Your recommendation will meet with every attention and respect in my power, and I shall only regret, that you are not here yourself to execute them.

For the terms of approbation you have been pleased to use in speaking of my conduct, I can tender you only my thanks.

With the warmest wishes for your health and prosperity, and that of your officers, with whom I have had the pleasure of an acquaintance, I remain, with the utmost respect, your friend and servant,

(Signed) GEO. M'CLURE.

Maj. Gen. Wm. H. Harrison.

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GENERAL ORDERS.

*Head Quarters, Newark, Nov.* 30, 1813.

The general commanding feels it a duty due to himself and to his patriotic troops to develope to them his views and feelings, as regards their late excursion, and what may yet be expected from them. Those who have rendered willing obedience to orders, by turning out at this inclement season, and pursuing the march till it was deemed necessary to return, are entitled to the General's thanks, and what is a richer reward, the thanks of their country. The General cannot, however, withhold his censure from those, who, without cause, refused to join in the expedition, nor from those still more inexcusable who made a pretence of patriotism by going with him a part of the way and then deserting their ranks.

At this season of the year, it would have been rashness in the extreme to have attempted with - - - - - to dislodge twice our numbers from a strongly fortified position, which nature has rendered still more impregnable. Such was not the expectation of the General, nor of his principal officers. He never intended to expose the brave troops who went with him, to certain disaster, to have forfeited the security of our frontier inhabitants, and most probably lost the possession of Fort George, by attempting that which was under all circumstances physically impossible.—There were other objects in view, worthy the expedition, which the General trusts have been in part accomplished, one in particular not improper to mention:—The citizens of Canada, who look to us for protection, have seen once more that you are not afraid to march into the interior of their country; upwards of 400 bbls. flour have been secured at the Twenty Mile Creek and on this side; and it is nearly certain that the enemy have drawn up all their force from York to receive us, and consequently left Kingston the more liable to capture, should it be attempted by our northern army. It may not also at this time be improper to state, that gen. P. B. Porter has been authorized to command an expedition against————, it was, therefore, important that the attention of the British should be drawn off also from that quarter.

The general has no doubt the troops might have advanced farther with perfect safety, and it would have been his pride to have gone with them, had there been any advantage to gain by it, but there was none. 'Tis certain the roads were cut up in such a manner, and obstructed by fallen timber, that the cannon could not have been taken along. The enemy's force was increasing whilst ours was growing less. The opinions and advice of every colonel, and all the principal officers of the different regiments and corps, were reasons which imperatively bound the general to acquiesce in the necessity of returing.

The militia will soon be discharged. In the mean time they may yet have an opportunity of meeting the enemy on equal grounds. Be always prepared and ready to meet them; you will by that means strengthen your claims upon the gratitude of your country, by nobly volunteering to defend a garrison which our regular army were on the point of evacuating and giving up to the British army without a struggle.

The general cannot conclude this order without addressing a few words to the independent and enterprising volunteers who form so respectable a part of his command; their promptitude in obeying the call of their country, the willingness to be engaged in enterprises of the most dangerous description, the sacrifices they have made on the altar of patriotism, define the character of freemen and Americans, who will never shrink in the hour of danger, from defending the standard which has been consecrated by the deeds of their forefathers. Although there are some, doubtless, whose business requires their immediate return to their homes, the general yet flatters himself there are many who will consent to remain on this frontier for a further term of service; the situation of this garrison will be truly precarious, if left to be defended by a small force. The general therefore invites the further co-operation for a short time, of all those whose domestic concerns are not of too urgent a nature, in a cause which involves the security of their persons, the protection of their rights, and the honor of their country.

GEORGE M'CLURE,
Brigadier-General Commanding.

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GENERAL ORDERS.

*Head-Quarters, Fort Niagara, Dec.* 12, 1813.

Captain Leonard will, as soon as possible, have a proportion of handgrenades in different Block-houses, and give directions to the officers of the infantry where they should be posted with their men in case of an attack—and should they not be able to maintain the out-works, to repair to the Block and Mess houses; and have every thing arranged in such a manner as though be expected an immediate attack.

Much is expected of Captain Leonard from his long experience and knowledge of duty; and the General feels confident he will be well supported by Captain Loomis of the Artillery, as well as the officers of the Infantry.

*By order of Brig. Gen.* GEORGE M'CLURE,
DONALD FRASER,
Lt. 15th U. S. Inf. and Vol. A. de Camp.

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GENERAL ORDERS.

*Head-Quarters, Fort Niagara, December* 13, 1813.

The contractor will deposit in Fort Niagara, immediately, one months provision for three hundred men, and keep good that Deposit. He will provide and issue at the following places:

| | | |
|---|---|---|
| At Lewiston, say for | 500 | men, |
| At Schlosser, - - | 200 | men, |
| At Buffalo, - - | 1000 | men, for one month. |

The Commanding Officers at the different stations will sign returns.

By order of General M'CLURE.

JOHN A. ROGERS,
Capt. 24th Inf. act. Aid-de-Camp.

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*To the Editor of the Buffalo Gazette.*

SIR,

Having heard from several sources illiberal and erroneous statements of the force at Fort George when that post was abandoned and that great quantities of arms and ammunition were destroyed we consider it a duty we owe the commandant, General M'Clure, to undeceive the people and convince them of the measures that were pursued. The period for which the militia had been drafted having expired, the general held out every inducement in his power for them to remain but for a short time, he offered a bounty, but neither the love of country nor the shame of abondoning him when the enemy were advancing, could prevail on them to remain: in consequence of which he was left with about sixty effective men to maintain Fort George. The British knowing the period when the militia tour of service would expire, availed themselves of that moment to endeavor to retake the frontier, and advance from Burlington Heights.—The general called a council of the remainder of his officers, when it was unanimously agreed that the fort was not tenable with the small remaining force. All the public property of every description that was of any value, except three twelve pounders, which he had not sufficient physical force to carry away, (and those were spiked, their carriages burnt, and buried in the ruins of the fort) was taken across the river to Fort Niagara—nor was there a musket left or a cartridge of powder more than was necessary to blow up the works. A considerable quantity of property, belonging to individuals friendly to us, was also taken across; and so near was the enemy, that eight or ten prisoners were taken in assisting them to get their property.

As it relates to the burning of the village of Newark, however disagreeable to the General, the act was not unauthorised, but at the same time he conceived it necessary for the protection of our from-

tiers, that the enemy might not have it in their power to quarter with their Indian allies in the village and maraud and murder our citizens.

Twelve hours notice was given to the few inhabitants that remained, to secure their household property, and every measure that could be taken to alleviate their situation was done; three or four houses were left for those that chose to remain; others who might wish to go across the river, the general ordered rations and quarters to be provided for. For their own immediate protection, the general has ordered out, *en masse*, the militia of Niagara county.

JOHN A. RODGERS.
Capt. 24th U. S. Infantry.
JOHN WILSON,
Brig. Major of Militia.
DONALD FRAZER,
Lt. 13th Inf. V. A. D. C.

Buffalo, Dec. 18, 1813.

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*Copy of a letter from General M'Clure, of the New-York state troops, to the Secretary of War.*

*Head-Quarters, Buffalo, December 22d,* 1813.

SIR—I regret to be under the necessity of announcing to you the mortifying intelligence of the loss of Fort Niagara. On the morning of the 19th inst. about 4 o'clock, the enemy crossed the river at the Five-mile Meadows in great force, consisting of regulars and Indians, who made their way undiscovered to the garrison which from the most correct information I can collect, was completely surprised. Our men were [illegible] asleep in their tents, the enemy rushed in [illegible] commenced a most horrid slaughter. Such as escaped the fury of the first onset, retired to the old mess-house, where they kept up a destructive fire on the enemy, until a want of ammunition compelled them to surrender. Although our force was very inferior and comparatively small indeed, I am induced to think that the disasters is not attributable to any *want of troops*, but to *gross neglect* in the *commanding officer of the fort*. Capt. Leonard, in not preparing, being ready, and looking out for the expected attack.

I have not been able to ascertain correctly the number of killed and wounded. About twenty regulars have escaped out of the fort —some badly wounded. Lt. Peck, 24th regt. is killed, and it is said three others.

You will perceive, sir, by the enclosed General Orders, that I apprehended an attack, and made the necessary arrangements to meet it, but have reason to believe, from information received by those who have made their escape, that the commandant did not in any respect comply with those orders.

On the same morning a detachment of militia, under Major Bennet, stationed at Lewistown Heights, was attacked by a party of savages; but the Major and his little corps, by making a desperate charge, effected their retreat after being surrounded by several hundred, with the loss of six or eight, who doubtless were killed; among whom were two sons of captain Jones, Indian interpreter. The villages of Youngstown, Lewistown, Manchester, and the Indian Tuscarora village, were reduced to ashes, and the inoffensive inhabitants who could not escape, were, without regard to age or sex, inhumanly butchered by savages headed by British officers *painted*. A British officer who is taken prisoner avows, that many small children were murdered by their Indians. Major Mallory, who was stationed at Schlosser, with about forty Canadian volunteers, advanced to Lewistown Heights, and compelled the advanced guard of the enemy to fall back to the foot of the mountain. The Major is a meritorious officer—he fought the enemy two days, and contended every inch of ground to the Tuntawanty Creek. In these actions Lt. Lowe, 23d reg. U. S. army, and eight of the Canadian volunteers were killed. I had myself, three days previous to the attack on the Niagara, left it with the view of providing for the defence of this place, Black Rock, and the other villages on the frontier. I came here without troops, and have called out the militia of Gennessee, Niagara and Chatauque counties *en masse*.

This place was then thought to be in most imminent danger, as well as the shipping, but I have no doubt is now perfectly secure. Volunteers are coming in in great numbers; they are, however, a species of troops that cannot be expected to continue in service for a long time. In a few days, one thousand detached militia, lately drafted, will be on.

I have the honor to be, &c.

GEO M. M'CLURE.
Brig. Gen. Commanding.

Hon. John Armstrong, Sec. of War.

[Here follows the general orders inserted above, dated at Fort Niagar, Dec. 12 and 13, directing captain Leonard to prepare himself for defence; and ordering the contractor to furnish supplies of provisions.]

Extract of a letter from Gen. M'Clure to the Secretary at War.

Batavia, Dec. 25, 1813.

"It is a notorious fact that the night on which Fort Niagara was captured, Captain Leonard left the Fort about 11 o'clock, P. M. I am assured that he has since given himself up to the enemy, and that he and his family are now on the Canadian side of the Strait."

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Extract of a letter from Maj. Gen. Hall, commanding on the Niagara frontier, to his Ex. Gov. Tompkins, dated Buffalo, Dec. 25, 1813.

"On my receiving information of the enemy's crossing the Niagara river, and taking the Fort, I immediately set off for that frontier. On my arrival at Batavia, I found a number of volunteers assembled. I tarried there one day to forward them on to the frontier and make arrangements for those who should follow.

I this day arrived at Buffalo and assumed the command of the troops, being all volunteers, now on this station. The whole number here, at Lewistown, &c. may amount to 2000 of all descriptions. The enemy have made their appearance off Black Rock, and an invasion is to be expected. The troops now out can be kept out but a few days. Those called out on your Excellency's last requisition, cannot all arrive at this place till the middle or last of this week. The order did not reach me till the evening of the 19th inst.

"Our loss in the capture of Niagara has been immense. What number of brave men have been sacrificed, we have not been able to learn—It must have been great.

"Several inhabitants have been killed at Lewistown, &c. among whom it is not ascertained there are any women or children.

"I have the honor to be, &c.

"AMOS HALL."

—

From the same to the same, dated "Head-Quarters, Niagara Frontiers. Dec. 30, 1813, 7 o'clock P. M. [Received by Express.]

SIR,—I have only time to acknowledge the receipt of your letter of the 25th inst. and to add that this frontier is wholly desolate. The British crossed over, supported by a strong party of Indians, at a little before day this morning, near Black Rock—they were met by the militia under my command with spirit; but, overpowered by numbers and discipline of the enemy, the militia gave way and fled on every side; every attempt to rally them was ineffectual. The enemy's purpose was obtained, and the flourishing village of BUFFALOE IS LAID IN RUINS. The Niagara frontier now lies open and naked to our enemies. Your judgment will direct you what is most proper in this emergency. I am exhausted with fatigue, and must defer particulars till to-morrow. Many valuable lives are lo[illegible]

"I have the honor, &c.

"[illegible] Major General."

*Extract of a letter from major-general James Wilkinson to the secretary of war dated French Mills, Nov.* 20, 1813.

"I consider it an act of justice to inform you, that col. Walbach was most conspicuously and actively engaged in the affair of the 11th inst. from the beginning to the end of the action: his duty being general and performed on horseback, he was from right to left exposed to great danger, but fortunately escaped without a scratch; and at a critical turn of the action, contributed most essentially, I am assured, to save five pieces of artillery, by leading the dragoons to a partial charge."

*A letter from the post-master at Warren, to J. Johnson, Esq. post-master at Pittsburg, dated Warren, Jan.* 3, 1814, *says,*

"I am informed by the post-master at Lower Sandusky, a party of forty men commanded by lieuts. Larwell, Fish and Davis, who were sent by general Cass to reconnoitre on the river De Trench, were attacked by the British, three killed, two made their escape, and the rest taken prisoners."

☞For Proctor's letter, see page 326.

## NAVAL.

A New-York paper mentions that one hundred waggons had been put in requisition at Albany to convey naval stores to *Sackett's Harbor*. It is reported, the enemy has launched his large frigate at *Kingston*.

The schooner Rapid, being chased off the Mississippi, by the Herald sloop of war, unfortunately upset. The crew were picked up by the boats of the enemy's vessel, and treated—as they ought to be; as we would treat the enemy in the same circumstances. The case is noted with pleasure.

The *Champlain* flotilla is laid up in Otter creek, near Vergennes, Vermont, for the winter.

It appears that commodore *Rodgers* after leaving Newport, in the President frigate, must have passed within a very short distance of *two* 74's and *five* frigates, all which were looking for him. On this one of our editors wittily observes—

"How to *cook* a lamprey—first CATCH a lamprey."
*Old Cook Book.*

His *Britannic majesty's* schooner Pictou lately captured the schooner Jane of Cape Look Out, and "his majesty's officers" robbed the captain of every little article of private property, such as his *watch*, and the small sum in cash that he had with him. This is what the folks call "*magnanimity.*"

*The Essex.*—We have some scraps of late news from the Essex, via Barbadoes. It appears she had made several recent captures—The "British papers accuse captain Porter of seducing their sailors from allegiance; and say he carries a white flag at the mast

head, on which is written in large letters, "FREEDOM AND SAILORS RIGHTS," by which means he gets his men." And seem to apprehend that he may raise a formidable fleet! The frigates La Ring and La Peque arrived at Barbadoes, December 1, after a fruitless cruize of *six* months for our little frigate. It does not appear that they captured one vessel.

Two Baltimore privateers are doing an active business in the neigiborhood of Barbadoes. One of them has taken a hint from the enemy, and is ransoming many vessels.

BLOCKADE OF THE CHESAPEAKE.

The enemy's *business*, since the last report, appears to have chiefly consisted in some petty plundering. Some days ago they landed on New Point Comfort (an island) and hoisted their flag on the top of the [illegible] house. They burnt the vault, where the oil was deposited, and after [illegible] some other like heroic deeds, departed.

## American Prizes.

WEEKLY LIST—CONTINUED FROM PAGE 303.

"The winds and seas are Britain's wide domain,
"And not a sail, but by *permission* spreads!"
*British Naval Register.*

737. The valuable brig Atlantic, from Halifax for Cork, laden with sugar and cotton, sent into Boston by the Congress frigate. This vessel, on her voyage from the West Indies home, was captured by one of our privateers, re-captured by the enemy and sent into Halifax, where she paid salvage—sailing thence with her original cargo, she was taken by the Congress, happily afforded some important information to captain Smith, and has at length safely arrived, after being blown off the coast several times.

738. Schooner ————, from Martinique, laden with 120 hhds. molasses, sent into Charleston, by the Caroline of Baltimore. The prize has *British* and *Swedish* papers.

739. Brig Silena, captured by the revenge of Baltimore, and burnt.

740. Schooner ———, sent into North Carolina laden with sugar and molasses, by the Caroline of Baltimore. She has two sets of papers, one of them British.

## Proceedings of Congress.

On Thursday the military committee reported a bill to fill the ranks of the army, by increasing the bounty on enlistments so as to amount to in the whole $100—25 on enlistment, 25 on mustering and joining some military corps, and 50 on being discharged, with a bounty of 320 acres of land. The term of service is 5 years. A determination exists to fill the ranks of the army—a bounty is provided specially for re-enlistments. After some amendments, the bill was reported to the house, and passed to a third reading. *This looks like doing business.*

Mr. Calhoun, as the Russian mediation was at end, offered a resolution requesting the president to lay before the house the papers connected therewith. We have neither time nor room for particulars.

Our usual *history* of the proceedings of congress is laid over for the present week to make room for articles of more interest; but the sketches for the last week shall be inserted in our next, that the chain may be preserved. Very little business has been done; and great part of the time was thrown away about Mr. *Hanson's* motion respecting *Thorean's* letter. On Monday, the first resolution (see page 298) was agreed to without a divison, when Mr. H. offered a substitute for the second which went to raise a *committee* to enquire into the matter. This was opposed as being improper and indecorous, and cast out, 100 to 60. Mr. Roberts, on Wednesday, renewed Mr. H's *original motion*, which he and all the minority violently opposed—it however was carried by a large majority.

## THE CHRONICLE.

*Fires.*—Several houses were destroyed at *Brooklyn*, (Long-Island, opposite the city of New-York) on Monday night, the 2d. inst. On the morning of the 5th, the elegant church called St. George's Chappel in *New-York*, with its superb organ, clock and steeple, was consumed. The sight of the latter wrapt in flames was awfully grand: it fortunately fell in the body of the church. The fire commenced in a cabinet-maker's shop—and several other workshops and dwellings were consumed. At *Harrisburg*, on the 24th December, ten or twelve buildings were consumed and others much injured. Another fire happened in New-York on the evening of the 8th, by which 8 or 10 houses were destroyed.

*Mexico.*—We have again cheering intelligence from *Mexico*. In the heart of that country there has for several years existed a sturdy band of armed patriots, maintaining the cause of freedom with various success. They have lately assumed a very imposing character—they have taken *Acapuelco*, the first and most important port in the south sea—one of the armies is reported to consist of 70,000 men.

In *South America*, also, the work of liberty makes some progress. *Caracas*, *Coro* and *Santa Fe* have republican governments; and *Carthagena* has several active privateers at sea, capturing many valuable *Spanish* vessels.

*Cundinamarca.*—That portion of territory in South America, formerly known by the name of "New-Granada," has also changed its form of government, and is now known as the *republic of Cundinamarca*. The people have published a manifesto to the world, assuming self sovereignty. Great inducements are held out to emigrants.

Five thousand troops, from Spain, have arrived at *Monte Video*, to crush the patriots of *Buenos Ayres*.

We observe with pleasure that liberal subscriptions are raising in many of the eastern towns for the relief of the sufferers at Portsmouth, N. H.—— The officers and crew of the *Congress* frigate contributed $700. Captain *Hull* has daily distributed 100*lb.* of beef, with a proportion of vegetables.—— *William Gray*, esq. of Boston, has given $1000.

The inquisition in *Spain* and *Portugal* has dwindled down to a mere shadow. The religious orders from which the members of this once horrible tribunal were taken, are dissolved—they cannot any more congregate, but have to return to society on a *per diem*.

The ship Florentine, from London to Havanna, with a cargo valued at £150,000 sterling, was taken by a Carthagenian schooner privateer, and ordered for Carthagena.

SPRINGFIELD, (Mass.) Dec. 23.

*Wolves!*—A few days since a large *male wolf*, killed within the limits of this town, was exhibited to the view of the people, and tendered to the town clerk for the legal bounty. The bitch wolf, his companion, has been seen several times, and it is said to be ascertained, than within a year the pair have destroyed in Ludlow, Granby and other towns in the vicinity, 150 sheep.—No man in town can recollect that within a half a century, this voracious and destructive animal has been seen within its bounds until now.

# THE WEEKLY REGISTER.

No. 21 of vol. V.] BALTIMORE, SATURDAY, January 22, 1814. [whole no. 125

*Hæc olim meminisse juvabit.*—Virgil.

Printed and published by H. Niles, South-st. next door to the Merchants' Coffee House, at $ 5 *per annum.*

## Finances of Kenutcky.

Probable receipts and expenditures for the year ending November 10, 1814, as submitted by the auditor to the legislature.

| | | |
|---|---|---|
| In the treasury Nov. 10, 1813 | $58,619 75 | |
| From which will be deducted for receipts on the sale of vacant lands | 14,245 30 | |
| Balance applicable to payment of the ordinary expenses of government | | 44,374 45 |
| Revenue for the year 1812 on property listed by the commissioners of the several counties, and stated in report No. 3, to be due on the first Monday in Dec. 1813. | 48,957 54 | |
| Deduct for insolvents, removals and charges | 9,500 | |
| Balance expected to be received by Nov. 10, 1814 | | 39,457 54 |
| Several small branches of revenue | | 15,820 00 |
| Dividends on bank stock | | 24,000 |
| | | $123,651 99 |

EXPENDITURES.

| | | |
|---|---|---|
| Warrants remaining unpaid | | 532 72 |
| Estimated expenditures of government for the year ending Nov. 10, 1814 | | 72,529 82 |
| Leaving a probable balance in the treasury at the end of the present year of | | 51,122 17 |

### THE PENITENTIARY OF KENTUCKY.

| | | |
|---|---|---|
| The articles manufactured by the convicts for the year ending Dec. 1, 1813, amounts to | | $20,204 55 |
| Deduct amount of raw materials | | 11,034 80 |
| Balance | | 9,169 75 |
| Keeper per centum on the above balance | 916 97 | |
| For provisions | 375 41 | |
| After deducting $2500 loaned the institution, and all other claims against it, there is notes, accounts, &c. | | $16,170 85 |
| Manufactured articles on hand | | 6,235 63 |
| Raw materials | | 1,590 00 |
| Total worth of the institution | | 24,006,48 |

This excellent establishment, while it answers all the purposes of society in the punition and reformation of those who violate the laws, instead of being an expence to the government, maintains itself and every year adds to its own capital, a very considerable sum. The present year only $3000, on account of the public sale of all the old articles on hand, at reduced prices.

## Finances of Pennsylvania.

RECEIPTS *from Dec.* 1, 1812, *to Nov.* 30, 1813.

| | |
|---|---|
| On account of lands, town lots, fees on warrants and patents, and office fees | $106,124 36 |
| Dividends on bank stock | 200,404 00 |
| Auction duties | 95,040 35 |
| Tavern licenses | 25,468 35 |
| Militia exempt fines | 11,148 26 |
| On account of old debts | 31,369 63 |
| Miscellaneous | 8,521 26 |
| Taxes on offices | 8,311 37 |
| Court fines | 5,029 36 |
| Fees of office of the secretary of the state | 291 25 |
| Total receipts | $492,908 19 |

EXPENDITURES.

| | |
|---|---|
| Senate | $18,915 84 |
| House of representatives | 47,078 48 |
| Governor, 5333 32—secretary, 2000—deputy do. 1200—clerks and contingencies, in all | 11,556 82 |
| Chief justice, 2666 64—other judicial expences, 41,378 89 | 44,045 53 |
| Treasury department | 7,839 72 |
| Land office department | 13,157 54 |
| Contingencies | 14,008 63 |
| Total *expences of* GOVERNMENT | 156,602 61 |
| Miscellaneous expenditures | 19,423 01 |
| Roads and bridges | 27,740 00 |
| Pennsylvania claimants | 9,320 37 |
| Pensions | 11,343 85 |
| Militia | 18,986 12 |
| Expenditures consequent to the war with Great Britain—such as repairs of arms, charges of transportation, bounty, &c. | 92,771 49 |
| Total expenditures | $336,186 15 |
| Balance unexpended | 156,721 04 |
| —— in the treasury last year | 189,998 91 |
| Actual sum in the treasury Nov. 30, 1813, | 346,719 95 |

| | |
|---|---|
| The state holds 3750 shares in the Bank of Pennsylvania, at $400 per share, or *at par*, amount to | 1,500,000 00 |
| In the Philadelphia bank, 5233 shares, at $100 each, or *at par* | 523,300 00 |
| In Farmers and Mechanics bank, 1708 shares, at 50 dollars per share, or *at par* | 85,400 00 |
| The bank stock, at par | $2,108,700 00 |
| Also stock in certain roads and bridges to the amount of | 135,000 00 |
| The state is bound to pay as *subscriptions* to several turnpike roads and bridges | 1,022,500 00 |

Of which but a small portion will be demanded for some time

| | |
|---|---|
| The state has also to pay for certain roads and bridges—for the endowment and support of some academies and schools, (gratuitous) | $34,000 00 |
| For clearing obstructions in the Delaware river, the amount of a tonnage duty collected at Philadelphia | 12,555 88 |
| | 46,555 88 |

CAPITAL OF THE STATE—

| | |
|---|---|
| Bank stock, at *par* | 2,108,700 00 |
| Road stock, at ditto | 135,000 00 |
| Monies due the state for lands, principal and interest* | 3,918,329 60 |
| Cash in the treasury | 346,719 95 |
| *Pennsylvania's capital* | $6,508,748 95 |

PENNSYLVANIA HAS NO STATE TAX.

RECEIPTS AND EXPENDITURES FOR FIVE YEARS.

| RECEIPTS. | Dec. 1, 1808, to Nov. 30, 1809. | Dec. 1, 1809, to Nov. 30, 1810. | Dec. 1, 1810, to Nov. 30, 1811. | Dec. 1, 1811, to Nov. 30, 1812. | Dec. 1, 1812, to Nov. 30, 1813. |
|---|---|---|---|---|---|
| For lands | 318129 49 | 93644 42 | 137235 82 | 125125 28 | 106124 36 |
| Dividends on bank stock | 120168 15 | 134857 97 | 159503 86 | 191946 50 | 200404 |
| Auc. duties | 33635 22 | 53706 67 | 54045 45 | 55713 91 | 96040 35 |
| Tav. licenses | 24116 47 | 29373 49 | 29515 46 | 26417 76 | 25468 35 |
| Exempt fines | 9316 17 | 10814 83 | 9309 37 | 9413 20 | 11148 26 |
| Court fines | 684 69 | 1772 67 | 1895 51 | 1568 49 | 5029 36 |
| Fees of sec. of comwlth's office | 889 7 | 579 9 | 396 26 | 735 17 | 291 25 |
| Old debts | 35626 53 | 16226 56 | 6582 31 | 8215 19 | 31369 63 |
| Miscellaneous | 4414 70 | 12980 38 | 5528 99 | 6498 5 | 8571 26 |
| Tax on offices | | | 4296 22 | 7804 74 | 8511 37 |
| U. S. & other stock | | | | 5475 53 | |
| | 547350 19 | 353965 8 | 408309 75 | 438413 82 | 492908 10 |

| EXPENDITURES. | Dec. 1, 1808, to Nov. 30, 1809. | Dec. 1, 1809, to Nov. 30, 1810. | Dec. 1, 1810, to Nov. 30, 1811. | Dec. 1, 1811, to Nov. 30, 1812. | Dec. 1, 1812, to Nov. 30, 1813. |
|---|---|---|---|---|---|
| Expences of government | 149282 2 | 138774 15 | 155196 26 | 162646 32 | 156602 61 |
| Militia expences | 11883 60 | 8916 62 | 7300 21 | 10223 84 | 18956 12 |
| Purchase of stock | 85544 15 | 369 00 00 | 130830 00 | | |
| Improvemts. | 21076 34 | 26818 41 | 33371 21 | 38461 00 | 27740 00 |
| Pennsylvania claimants | 20202 44 | 5495 92 | 11596 18 | 14730 99 | 9520 37 |
| Olmstead's case | 15898 75 | | | | |
| Pensions | 3823 89 | 3916 73 | 4918 00 | 5540 47 | 11343 85 |
| Unfunded debt | 2449 00 | | | | |
| Miscellaneous | 4979 26 | 41267 92 | 46707 69 | 44569 96 | 19423 01 |
| Expenditures consequent to the war | | | | 32768 26 | 92771 19 |
| | 312139 95 | 594389 78 | 389889 22 | 308960 84 | 336187 15 |

The editor acknowledges himself indebted to a correspondent of the *Aurora*, for the preceding *items*, and for the table of receipts and expenditures.

## Paul Cuffe.

The following singular and rather interesting memorial, which was on Friday presented to congress, is published at the request of several subscribers, who probably feel an interest in the success of Mr. Cuffe's expedition. It is impossible to say what fate awaits it. *Nat. Int.*

* This source of *revenue* will last many years, for some will prefer paying the interest rather than extinguish the principal—but if they should, the monies will be applied to other productive sources.

*To the president, senate, and house of representatives of the United States of America.*

The memorial and petition of Paul Cuffe, of Westport, in the state of Massachusetts, respectfully sheweth, that your memorialist actuated by motives which he conceives are dictated by that philanthropy which is the offspring of Christian benevolence, is induced to ask the patronage of the government of the United States, in affording aid in execution of a plan, which he cherishes a hope may ultimately prove beneficial to his brethren of the African race within their native climate.

In order to give a complete view of the object in contemplation, it may not be considered trespassing too much on your time to premise some of the leading circumstances which have led to the present application. Your memorialist, being a descendant of Africa, and early instructed in habits of sobriety and industry has gratefully to acknowledge the many favors of a bountiful Providence, both in preserving him from many of the evils which the people of his colour too often have fallen into, and also, by blessing his industry with such a portion of the comforts of life as to enable him in some degree not only to commiserate, but to relieve the sufferings of his fellow creatures; and having early found implanted in his heart the principles of equity and justice, he could but view the practice of his brethren of the African race in selling their fellow creatures into a state of slavery for life as very inconsistent with that Divine principle; and in his mature age, having been greatly interested in the abundant labor of many pious individuals, both in this country and in England to produce a termination of the wrongs of Africa, by prohibiting the slave trade, and also to improve the condition of the degraded inhabitants of the land of his ancestors, he conceived it a duty incumbent upon him, as a faithful steward of the mercies he had received, to give up a portion of his time and his property in visiting that country, and affording such means as might be in his power to promote the improvement and civilization of the Africans.

Under these impressions he left his family, and with a sacrifice of both time and money visited Sierra Leona, and there gained such information of the country and its inhabitants as enabled him to form an opinion of many improvements that appeared to him essential to the well being of that people. These he had an opportunity of communicating to several distinguished members of the royal African institution in London, and he had the satisfaction at that time to find that his recommendations were approved by the celebrated philanthropists the duke of Gloucester, William Wilberforce, Thomas Clarkson, William Allen and others, and has since learned that the institution have so far acceded to his plans, as to make some special provision to carry them into effect. One of these objects was to keep up an intercourse with the free people of color in the United States, in the expectation that some persons of reputation would feel sufficiently interested to visit Africa, and endeavor to promote habits of industry sobriety and frugality, among the natives of the country.

These views having been communicated by your petitioner to the free people of color in Baltimore Philadelphia, New York and Boston, they, with zeal becoming so important a concern have manifested a disposition to promote so laudable an undertaking, and several families whose characters promise usefulness, have come to a conclusion if proper ways could be opened to go to Africa, in order to give their aid in promoting the objects already advertised to. Your petitioner, still animated with a sincere

desire of making the knowledge he has acquired, and the sacrifices he has already made, more permanently useful in promoting the civilization of Africa, solicits your aid so far as to grant permission that a vessel may be employed (if liberty can also be obtained from the British government) between this country and Sierra Leona, to transport such persons and families as may be inclined to go, as also, some articles of provision, together with implements of husbandry, and machinery for some mechanic arts and to bring back such of the native productions of that country as may be wanted.

For although pecuniary profit does not enter into calculation in the object in contemplation, nor does it afford any very promising prospects, yet without a little aid from the trifling commerce of that country, the expense would fall too heavy on your petitioner, and those of his friends who feel disposed to patronize the undertaking. Your petitioner therefore craves the attention of congress to a concern which appears to him very important to a portion of his fellow creatures who have been long excluded from the common advantages of civilized life, and prays that they will afford him and his friends such aid as they in their wisdom may think best.

With much respect, I am, your assured friend,

PAUL CUFFE.

*Westport, 6th month*, 1813.

## Internal Navigation.

To the senate and house of representatives of the commonwealth of Pennsylvania, in general assembly met—

The memorial of the subscribers, citizens of that part of the state which is watered by the Allegheny river, French Creek, Lake Erie, and their tributary waters,

*Respectfully sheweth*,

That among the various objects which originally invited your memorialists to settle and reside in this new and remote part of the state, one which they have always deemed of primary importance, is the advantage of an extensive communication by water in various directions, the only means by which the remote parts of an interior country can be rendered either important to the interests of those parts situate nearer the sea coast or comfortable and convenient to themselves, in the dependent condition of man upon his fellow men, in the social and civilized state.

The great importance of such water communication, and the flattering prospect of finding it capable of being improved to a high degree of perfection, in this section of the state, seems to have been in the early contemplation of those intrusted with the immediate care and charge of its interests. The triangular tract which includes the valuable harbor of Presqu' isle, was purchased with a view chiefly, if not exclusively to obtain this harbor, and to connect by an easy communication, the commerce of the lakes with that of this state by French creek and the Alleghany river.

Your memorialists on becoming acquainted with these waters discerned at once the provident wisdom of their early legislators, and a field for the exercise of the present and future enterprize of the state.—By their admirable situation and connection, as well as the excellence of their channels, present convenience and advantage are experienced, the hand of improvement invited, and the reward of such exertions brought clearly to view.

An improvement in French creek, sufficient to render its navigation as certain as that of the Alleghany river, is alone wanting to afford an uninterrupted communication between New Orleans and Quebec—between the two immense waters, the Mississippi and its tributary streams and the St. Lawrence, and great lakes; a communication of many thousand miles in extent, embracing every climate with all the various productions of the American continent.

To draw such a commerce through a part of Pennsylvania, is evidently an object worthy the high character of this state; but the events of the present period point out to your memorialists with peculiar force, the expediency of our early exertion for the purpose of embracing the first and whole of the advantages to be derived to this state, from such a mean of intercourse.

It is reasonably to be expected that as a consequence of the existing war with Great Britain, our national government will shortly gain possession of all the territory bordering upon the opposite shores of the St. Lawrence and the lakes. Upon this expectation being realized, and even pending the military operations by which it is to be effected; the objects of a commercial intercourse, through the proposed channel, will be extensive, various and increasing. Besides the supplies of military and naval stores, and provisions required by the United States, a great portion of which are produced in this state, and would alone form an object of great and mutual usefulness between the citizens of this state and of the United States; the extensive and lucrative fur trade of the north-west must immediately change its direction, coming wholly into the United States, and all supplies of merchandize lately carried into the extensive region in question, through channels exclusively occupied by Great Britain, must now be supplied by the United States. These, with the supplies of salt for a great part of the western section of Pennsylvania, where an excessive dearth of that essential article is now experienced in consequence of the late interruption of supply by the northern waters, form in the aggregate an immense amount in tonnage and commercial intercourse, which would immediately flow through this part of Pennsylvania by French creek, if improved to a state sufficient to insure a boat navigation at all times during the summer season. The objects of a less immediate but more extensive commerce through the same channel, are the mineral productions, especially copper, of lake Superior, and the agricultural productions, which no doubt must rapidly and progressively increase to an incalculable extent with the increase of population and demand for articles produced in older settlements. Such rapid increase of population, productions and demand, is fairly and reasonably to be calculated upon in the great extent of territory bordering upon the three great lakes *Erie*, *Huron* and *Michigan*, within favorable climates, a soil unvariably good, and the extent of coast more than two thousand miles.

These views are drawn from self evident principles and facts of notoriety and it is believed are alone sufficient to demonstrate the signal importance of a safe and uninterrupted transportation on French creek. But the subject still derives additional interest and importance when considered in connection with other projects of improvement for the benefit of interior intercourse in this and other states. The great turnpike road already authorised by law from Northumberland to lake Erie, would derive its chief importance from the articles of return transport which must be carried by French creek to its intersection with this road, the same would be the effect in transporting iron and other heavy articles from east to west; many articles might bear a light transportation as far west as the Alleghany river, and

from thence to lake Erie by water, which would not bear the land transportation the whole distance.

The future improvement, also of which the west branch of the Susquehannah is undoubtedly capable, must be contemplated as important in establishing the mean of rendering permanent an advantageous competition on the part of this state, with any other route or communication that may be opened by any of our sister states.

Such are the advantages within the reach of this state, but to secure them, your memorialists deem an early activity highly necessary. Other routes, both to the westward, the eastward and southward, will be improved with alacrity. Already is the state of Ohio alive to this subject; her citizens will not fail to exert a great degree of enterprize to effect improvements upon the Cayahuga and Muskingum; Sandusky, Scioto and Miami, with a view to an easy transport to the Ohio, and by that river and Monongahela, to meet the great Cumberland turnpike at Brownsville

Already has the state of New York a turnpike road extending from the tide water of the north river to Genessee; with a lock navigation in the Mohawk river and Wood creek, with projects of improvements in Oswego river, &c. Already are both the states of Maryland and Virginia, bent upon the improvement of the Potomac to Fort Cumberland, notwithstanding the formidable appearance of the task, in a water having a fall more than 750 feet.

These states are also actively engaged in carrying turnpike roads in the same direction, determined by land or water, or both, to meet the United States turnpike road at Cumberland, and consequently the whole commerce of the lakes, in case the neglect of Pennsylvania should permit the states of Ohio and New York, a preference in this transportation.

Your memorialists will only add a few observations as to the practicability of the proposed improvement; they believe the aggregate descent of all the ripples in French creek requiring improvement, would not exceed 50 feet, which are divided into six or seven ripples or rather shoals of not more than 4 or 5 each, chiefly over a bottom of pebble or loose stones; and floods in this creek are never so high as in the Potomac, the Susquehanna, Monongahela or many other streams, and at these rapids never exceeding eight feet.

The navigation of French creek in its present state is generally used during most of the spring and fall months; and your memorialists doubt not would be found on a survey by an experinced engineer, to be susceptible of improvement for a sum of $20,000, which would render its navigation certain at all times from the first of April to the last of November; and for a less sum might be greatly improved, though in a degree less perfect and permanent.

The sum of $20,000, in the estimation of your memorialists, is small when compared with the magnitude and importance of the object—an object which they are convinced many of the states would not loose, if to be secured for one million. The improvement contemplated in the Potomac is estimated to cost nearly or quite that sum: that in the Mohawk has already cost $160,000, and still that river is inferior to French creek in its present state.

Without the proposed improvement, however, the advantage of a communication by French creek must be lost, being liable to frequent interruption by high and low water in the best season, and generally interrupted during the three summer months.

Your memorialists have to observe further, that improvements on certain parts of the roads communicating with French creek, are much wanted, to which the resources of the local inhabitants are altogether inadequate, and at the same time highly important, particularly a part of the road from the town of Mercer to Meadville, and a part of that between the latter and the town of Waterford.

By a proper application of the sum of $20,000, your memorialists have no doubt, all these valuable improvements may be so far completed as to ensure to this state the great advantages which have been adverted to.

Recommending these subjects to the early care and attention of the legislature, your memorialists will pray, &c.

## Mr. Giles' Letters.

*Observations by a correspondent of the Virginia Argus.*

In No. II, of Mr. Giles's Address, he has shewn how a man of ability may plausibly pervert the plainest question, and lead the public mind to a wrong conception of political principles. He has furnished, also, additional proof that a writer *with* a name, is not in the least inferior to a writer *without* one, in framing ingenious disguises for false doctrines. This sort of ingenuity, however, may be tolerated; because, being *expressed*, and perceptible to reflecting men, it is susceptible of counteraction. But what I think altogether injustifiable on the part of this elevated Senator, is his most uncandid resort to *insinuation*. Of all the modes of conducting a controversy, that of *insinuation* is the most disingenuous; for as, in such a case, nothing is stated, the judgment is evaded, and the *imagination*, that great field of human errors, is left to *infer*, at random, whatsoever of evil may suggest itself. Of this character is the introductory passages of Mr. Giles's No. II, where he says "I shall "purposely overlook all the incidents, which took place *directly* "between the President, and the committee thus appointed, from "this date, till the 6th of July following, when the message of the "President declining the proposed conference, was laid before the "Senate, because, although those incidents might give rise to some "commentaries, which might be capitivating to some minds, yet "they probably would be of an unpleasant nature, and if even "real advantages might be derived from them, I should cheerfully "dispense with them, rather than risk the hazard of unintentionally wounding the President's feelings. It is my sole object, to "place this subject upon its own intrinsic merits; detached from "all incidental considerations." By this passage the reader is led to conclude, that Mr. Giles knows something which passed between the President and the senatorial committee, that might assist his argument; but that, out of delicacy to the Executive, and to prevent the malice of Mr. Madison's enemies, he will not reveal it. The reader, of course, is left to his conjectures. And it is manifest that the exalted Senator has thereby afforded more scope to malicious politicians, than if he had actually proclaimed what he pretends to be acquainted with. If real delicacy in relation to the President's feelings was his governing motive, why did he advert to concealed circumstances at all? why does he sharpen curiosity by anonymous hints, calculated to ferment ill nature? Had Mr. Giles frankly disclosed whatever it is that he alludes to, he might have been met, and in all probability refuted. As it is, he has made an insinuation, without asserting a fact; a mode of discussion which does not in the least correspond with the professions in his No. I, where he represents it to be his intention to remove anonymous disguises, and to develop the truth for posterity! I leave to the consideration of my fellow citizens, whether a writer, who deals in this manner with Mr. Madison, can be his friend: and whether the appearance of reserve in the quoted passage, does not partake more of *artfulness* than of sincerity: seeing that whilst it affects to sooth asperity, it instils a subtle poison which must act corrosively against its object? It may, for ought I know, be inproper for anonymous writers to intermeddle with political concerns, with the characters of our public agents. But I am confident it is more favorable to truth, to suppress the names of those who comment upon public events, than it is to substitute *insinuation* for facts even under names the most distinguished.*

Having thus occupied the imagination, Mr. Giles proceeds to seduce the better faculties of the understanding. In this attempt at intellectual seduction, he insists that there is no constitutional prohibition of a conference between the President and the Senate; that the course of conduct adopted by the Senate upon nominations is variable, and that the quality of consonance between the President and Senate is the very reason why a free conference is proper, they being, in that respect, perfectly equal; an advice

* One might be induced to suppose, from the style of Mr. Giles's address, that he had been lately amusing himself with the "Scandalous for Scandal."—The following brief extract from that dramatic piece will shew, that he has refined upon the character of Candor:

"*Lady Teazle.* What's the matter, Mrs. Candor?

*Mrs. Candor.* Why they are so censorious, they won't allow my friend, Miss Vermillion, to be handsome.

*Lady Sneer.* Oh, surely she's a pretty woman.

*Crab.* I'm glad you think so.

*Mrs. Cand.* She has a charming fresh color.

*L. Teaz.* Yes, when it's fresh put on.

*Mrs. Candor.* Well, I'll swear 'tis natural, for I've seen it and go.

*Crab.* Yes it comes at night and goes in the morning."

It will be observed, that Mrs. Candor does not exactly assimilate things herself, she only *gives occasion to others to say*

legations may be quietly admitted, without the slightest objection, for they do not at all affect the point in dispute, which is *the mode* of conference, and not the conference itself. This will be seen by reference to the President's message to the Senate of the 6th of July. In that message he says, "If the Senate wish information "previous to their final decision, the practice, keeping in view the "constitutional relation of the Senate and Executive, has been, either to require the Executive to furnish it, or to refer the subject "to a committee of their body to communicate, either formally or "informally, with the head of the proper department." I have already shewn that "information" relates to *opinions* as well as to facts; and that the President proposed, through a committee on his part, to meet the committee of the Senate, for the purpose of conferring together, and of furnishing those considerations respecting the nomination of Mr. Russell, which it was the object of the Senate to ascertain. In refusing to meet the Executive committee, the committee of the Senate voluntarily abandoned the pursuit of that knowledge which Mr. Giles contends was so essential to determine the senatorial votes, and thereby asserted an equality between three members of the Senate and the President of the United States, in relation to appointments to office. To prove this equality, the critical senator labors with infinite minuteness, and endeavors to persuade us, that there is a difference between the *managers* of a conference and a *committee* to manage a conference! For myself I am totally at a loss to comprehend where this difference lies. A *committee*, as I understand the word, is one or more men to whom any business is *committed*, which business is, by such committee, to be *managed*, or effected: And *managers* are, in like manner, persons who are appointed to do any business assigned to them. By whatsoever name they are called, their function is the same. There is therefore, no inaccuracy whatever in the President's using the word *committee*, as it is completely descriptive of those to whom it is applied. But Mr. Giles is, unquestionably, a man of exceedingly great powers of discrimination; for we find him, still adhering to his own explanation of the term "information," accusing the Executive of dullness, in overlooking obvious differences. "The President seems (says M. G.) not sufficiently to have appreciated the distinction, between, a conference, and a call, for information, although the "distinction seems *obvious*." Surely a man of common sense might here pause, widely open his eyes, and wonder, without the imputation of ideocy. If the *call* and the *conference*, have the same end in view, to wit: "*information*," what distinction is there between them, except in the *method* of obtaining it, and this the President expressly indicates, in his message of July 6, may be, "either to request the Executive to furnish it;" which would be a *call* by resolution; or "to refer the subject to a committee of the Senate to communicate, either formally or informally, with the head of the proper department;" which might be done by letter, or by personal interview or conference. Indeed, in whatever way Mr. Giles pursues his argument, he invariably halts at the principal question at issue, namely, *whether a committee of the Senate is co-ordinate, or equal, to the President, in conference, in the case of appointments to office?* And, like Sisyphus, he works up hill, with a huge absurdity, which, as he gains the summit, being unable to fix, escapes his grasp, and compels him to renew the task. I candidly confess that I am ashamed of this verbal criticism; but the honorable Senator compels me to it.

To these frivolities, however, Mr. Giles adds some thing of a bolder cast. In the technical phraseology of the law, he pretends that the Senate can, *quo ad hoc*, or for certain incohate purposes, clothe a *committee* of that body *with all the attributes of the Senate itself*. To prove this, he quotes certain parts of the journal of the Senate of the United States, and alledges a custom in the legislature of Virginia, of adjourning, whenever a conference is carrying on between committees of its two branches. But I will ask Mr. Giles this: Does not each house of Congress, and each house of the General Assembly of Virginia, always exercise over their committees, or managers, the power of accepting or rejecting the report which they make concerning such conference? This is evident, in the case of the Senate, from whose journal of proceedings he has published extracts, by which it appears, that on the report of the managers, it was "resolved, that the Senate *concur* in the report of the conference;" or otherwise. The same course is uniformly followed by each house of the General Assembly of Virginia. If, then, the Senate exercises, as it will not be denied that it does, a controlling authority over the proceedings of such committees, or managers, how can it be said they are for incohate purposes, or *quo ad* any thing, clothed with the entire attributes of the Senate? If they are equal to the Senate in any thing, then in that thing the Senate cannot check them; because, if it could, it would be the Senate, *quo ad hoc*, checking the Senate; which would be ridiculous, and past all reason. We read in Swift's tale of a Tub, of my lord Peter wishing to pursuade his brethren that all kinds of good meats were contained in simple bread; but never before now, I apprehend, did any one undertake to shew a Senatorial committee could be inspired with the whole authority of the Senate itself, for any object in which a co-ordinate branch of the government was concerned. There could, in fact, be no mode of infusing such great power into a committee, unless it were by a previous resolution of the whole body of the Senate, specifying that the Senate would be bound by what the committee might or might not do. This I believe is never done; and certainly was not done in the case before me.

Now, then, we come to the merits of the question. A committee of the Senate is appointed to confer with the President in person. Suppose the President assents to the conference, what is the consequence? The President, speaking as the entire executive branch, is *bound* by what he says, unless he retracts and runs into inconsistencies; but the Senatorial committee do not bind the Senate at all: for after their report of the conference, the Senate decides just which way it pleases. And, after getting out of the Executive his sentiments, if it decides against him, the effect of such vote is a censure passed upon the President's understanding; thus degrading him below the Senate, with which he is, by the constitution, made co-ordinate; in other words, *equal*. Take the course, however, which the Executive proposed, and the difficulty and degradation vanish. Mr. Monroe, the Secretary of State, being appointed the President's committee, would have met the committee of the Senate upon proper terms: one committee would not, in that event, have been more bound than the other; each would have reported to the principal, respectively; the Senate would have procured the information it wanted; and the co-ordination of the two branches of the government would have been preserved. I flatter myself that this exposition of constitutional doctrine is a little more solid, and somewhat more rational, than that of the honorable Senator.

But here Mr. Giles sets up another objection. He argues that the Secretary of State is not a constituent part of the Executive department of government, as the committee men of the Senate are a constituent part of that body; and he even urges this portion of his argument so far, as to place the head of the department of State on a par with the Secretary of the Senate! I fancy he is the only one that thinks so. He will not find the same class of men occupying both stations. Such a comparison has no similitude. Do you find Jeffersons; Madisons, or Monroes, acting as Secretaries of the Senate? I mean no disrespect to that body: I wish not to wound the feelings of any individual.—It is Mr. Giles who forces these allusions from me. The situation of Secretary of the Senate is truly respectable. But the individual that once occupies that post, is not very likely to gain the first chair in the foreign office. I propose to shew, with seriousness, that the celebrated Senator of Virginia is *mistaken* on this subject.

By the first paragraph, of the second section of the second art. of the constitution of the U. S. the President "may require the opinion, in writing, of the principal officer in each of the Executive departments, upon any subject relating to the duties of the respective offices." The Department of State is one, and the chief, of these Executive Departments; and the Secretary of State is, of course, a principal Executive officer, recognized by the words of the constitution, whose opinion upon the affairs of his department the President may require in writing. For what purpose? Certainly to enlighten his understanding. What are the Secretary of State's duties? To superintend all business of a foreign or domestic diplomatic or other nature confided to him by the laws and by the President. In relation to any of this business, his *opinions*—not mere facts—are held in view by the constitution as essential to the President. In this particular, then, the constitution indicates the Secretary of State as a participator in Executive deliberations; and, if the President may require his opinions in writing, he may, by stronger reason, require them verbally. From this grows up what is called the cabinet. Its utility is obvious. Each secretary brings into Council his own reflections; an interchange of sentiments and opinions take place, and the nation is thus benefited by a wider range of intelligence. Hence it is manifest, that the Secretary of State is an efficient constitutional organ; and although not co-ordinate with the President, is undoubtedly superior to a committee of the Senate. For what is a committee of the Senate? It is a body no where recognized by the constitution: It is not established by law: it derives its existence from the power given to the Senate to determine the rules of its proceeding: a committee of the Senate is, in truth, only the creature of the Senate, without original or independent authority of any kind, and deriving its importance as well as its very existence from the Senate itself. The Secretary of State, on the contrary, has duties assigned him, as Secretary of State, by law. So perfectly is he identified as a part of the Executive, that Congress, in legislating, frequently assign him business, peculiar to his department, to express terms without mentioning the president.† A committee of the Senate has no power to bind any thing, in senate or out of it, by vote or resolution: But the secretary of state, by a letter under his hand, is understood to bind the president. Thus *quo ad* his functions, he is a constituent part of the executive; much more so than a committee of the senate; for he is adverted to by the constitution, acknowledged by the laws, and known, in certain circumstances, in the government as an independent co-relative of the presidential administration. Mr. Giles, nevertheless, persists, that, as the executive is an *individual*, he is indivisible, and cannot clothe the secretary of state, in form of a committee, with his executive attributes. Having distinctly shewn that the senate cannot transpire their entire attributes into a committee of their own, and having likewise demonstrated that although the secretary of state is not co-ordinate with the president, yet, that he is superior to a committee of the senate, I might be allowed to pass by this objection, as frivolous with respect to the question before me. But I do not seek indulgence; and I presume Mr. Giles does not ask to be spared. *Physically* speaking, assuredly the president is not divisible: That is, you cannot split him in two, or cut off a member, so that one part of his body shall act as president, and the other as his committee: And it is as certain, still *physically* speaking, that the senate can be divided, one part acting as a committee to the other, on account of its consisting of many individuals. It is not, however, the *physical* dispute. It is their political composition that is in question. *Politically speaking*, the senate is an *unit* as well as the president is. The majority of votes, expressive of the majority of opinions, decides the *will* of the senate: And the force of the opinions which the president derives from his secretaries, in writing or verbally, together with his own determines the will of the executive. It may be said, if you take away the secretaries, a perfect president with full

† "*Be it enacted*, &c. That the marshals of the several districts of the United States, &c. &c. shall be, and they are hereby authorised and required, *under the direction of the Secretary of State* and *according to such instructions as he shall give* pursuant to this act, to cause the number of inhabitants, &c. to be taken," &c. See laws of the U. States, p. 24. vol. 4.

executive power still remains. So, I say, take away the committee of the senate, and the senate itself, with full power, still remains. This is well exemplified in practice; as, notwithstanding what Mr. Giles alledges takes place in the general assembly of Virginia when conferences between committees are going on, it is notorious that the conferences of committees of the two houses of congress do not at all interrupt the progress of business in either branch of that body.

As the Secretary of State is superior to a committee of the Senate, so is he superior to the Secretary of the Senate.—The Secretary of the Senate is the mere recorder of the votes and resolutions of that body: he originates nothing; he suggests no line of proceeding; he drafts no resolution: he is simply a passive agent. The Secretary of State originates, and does not record; he suggests and sometimes acts, from a general knowledge of the President's sentiments, upon his own responsibility; the President does not *order* him; he *consults* him. Further, the Secretary of the Senate is appointed by the Senate alone, and is not an officer of the government generally: The Secretary of State is appointed by the President and Senate, and is a Secretary in his province, for all branches. These are essential, and very distinguished differences,—There are others, which will readily occur to the reader. If a parallelism to be run with the Secretary of the Senate, it may be found in the President's private Secretary; which, in every point of view, is equally respectable.

If it shall be thought that I have, in the preceding observations, refuted the reasoning of Mr. Giles; that is to say, it if shall be thought that I have shewn that the mode of conferring, by committees, between the two houses of Congress, which Mr. Giles confesses is the practice, is as the president alledges, a mode, which from analogy, applies to conferences between the Executive and Senate; and if I have also shewn that the Secretary of State, as the committee of the President, was co-ordinate, or superior to the committee of the Senate, for the purpose of such conference; as I think I have; then must the public decide at once against Mr. Giles and in favor of Mr. Madison. Because the President, before he drew the distinction between the Senate, and a committee of the Senate, in his message to that body of the 6th of July, wishing, as it were, not to excite unpleasant altercation, did;—not as Mr. Giless asserts, "*permit* his Secretary of State to propose, in his stead, to confer with a committee of the Senate;"—but positively *authorized* him to do so; as will appear by the following short note, which considering Mr. Giles's fondness for copious quotations of authentic documents, it is very suprising he wholly omitted to insert in any part of his address on the subject to which it relates:

DEPARTMENT OF STATE,
June 23d, 1813.

GENTLEMEN,

The indisposition of the President continuing, *I am instructed by him*, to express to you his great regret, at the delay, to which it has already subjected the proceedings of the Senate on the nomination of a minister plenipotentiary from the United States to Sweden. To prevent any further delay, from that cause, *he has authorised me to confer with you on that subject*, and *to communicate to you ANY INFORMATION which you may be desirous of obtaining from the Executive relating to it.* I will have the honour to meet you for this purpose, at such place, and hour, as you will have the goodness to appoint.

(Signed) JAS. MONROE.

The Honorable
Messrs. Wells, Giles and King.

It is to be observed, that the information proffered by the Secretary of State, in the name of the President, was not confined to *facts*; but included "*any information*," and not only such information as the Secretary of State could give, as Secretary of State, but "*any information*" which the committee were "*desirous of obtaining from the executive.*" There was, consequently, no restriction on the part of the President. And it is the most extraordinary thing in the world that Mr. Giles, the luminous, the penetrating, the critical Mr. Giles, should undertake to aver, with this very note of Mr. Monroe's within his reach, (for it was published among the other executive proceedings of the Senate on Mr. Russel's nomination) that "the President has deemed it his duty to *decline* the overture of the Senate for a conference, and *thus deny all intermediate interchange of opinion with the Senate upon executive propositions.*" So far from this being the fact, it was the committee of the Senate that declined to confer, assuming a mistaken equality with the President himself, (as if a *part* of the Senate were *equal* to the *whole*,) and pretending to a higher standing than the Secretary of State, to whom the committee is, in view of the constitution and laws, actually subordinate. In proof of this, I here introduce the answer of the committee to Monroe, which Mr. Giles has likewise omitted:

COMMITTEE ROOM, 24th June, 1813.

SIR,

The committee of the Senate, appointed to confer respectfully with the President of the United States on the nomination made by him of a minister plenipotentiary to Sweden, have had the honor this morning to receive your letter of yesterday.

The committee heard with real concern of the continued indisposition of the President: but as they presume there are connected with this nomination no considerations of so urgent a nature as to require an immediate decision upon it, they will wait with pleasure for the conference they have been ordered by the Senate to request of the President, until the restoration of his health takes place.

(Signed) WM. HILL WELLS,
*Chairman of the Committee of the Senate on Mr. Russell's nomination.*

The Hon. JAMES MONROE,
Secretary of State.

It may be here very pertinently asked, who exhibited the most unaccommodating spirit? who stood most out upon form, or etiquette. It must be answered, the Senate. It would really seem that the object of the Senate was not information, concerning facts or opinions: *that*, they might have received from the Secretary of State. It was *the President himself* the committee wanted to get at; and because he would not admit that three members of the Senate were equal to the entire body, and co-ordinate with himself, the Senate wilfully voted without the knowledge that was tendered to it. Suppose the Executive were to attempt to act in this manner with the Senate: Suppose he were to send a committee (which he has as much right to do as the Senate) to the Senatorial chamber, to demand a conference, *in Senate*. Would it be granted? Would the Senate not consider it as an attempt to encroach upon its dignity? Mr. Giles has taken care to secure the Senate from such an outrage by alledging the indivisibility to the Executive. The President always communicates with the Senate in writing: He never attempts to lessen its dignity by sending committees to confer with it in full session. The mode of inter-communication by writing appears also, by what Mr. Giles says in a note to his No. II. to have been determined on as the best by General Washington, after he had tried the method of personal conference by attending in the Senate. Such attendance could not but have been accompanied by a violation of the spirit of the constitution, which intended the President and Senate, in regard to nominations, to be *checks* on each other. If the President were to attend the Senate, or the Senate to attend the President, (which, in effect, would be the same thing,) the Senate could not speak with freedom on nominations without frequently insulting the President's feelings. And moreover, such attendance, would go to subvert the form of our government *quo ad hoc*: It would go to convert the Senate and President, from two separate and independent branches, as designed by the constitution, into a single divan, or assembly, for making apointments to office. Throughout the whole of Mr. Giles's No. II there is a strain of reasoning, which vindicates the intermeddling of the Senate in Executive affairs. He speaks of an "*interchange* of opinions" between the two, *after* the President has *acted* and *before* the Senate has *voted* on nominations. What would be the consequence of such interchange? The President, *having taken his ground*, would naturally insist on his man, and the Senate must either acquiesce, or enter into an altercation with the President: Or, if the President gave way, then the Senate would virtually partake of the power of *nomination* in addition to the exercise of the power of approval; a case not at all contemplated by the constitution. Besides, to what *bargainings*, *understandings*, and *private promises* might these *secret*, *unauthorised conferrences* lead? The President might, on some occasion, corrupt the senators, or the senators corrupt the President; and being, by such means, practically identified as *one body* would certainly be an overmatch for the House of Representatives, and thus establish an odious oligarchy, in the room of present happy system of *checks* and *balances*. On the whole, the stand which the President took, appears to mark, with appropriate distinction, the limit of executive and senatorial *intimacy*; and for taking that stand, and maintaining it, I as an American citizen, most heartily thank him.

# Legislature of Massachusetts.

## GOVERNOR'S SPEECH.

*Gentlemen of the Senate, and*
*Gentlemen of the House of Representatives,*

Our meeting at this time will excite the mournful reflection that we have lost a most able and useful magistrate by the death of the late chief justice.—His pre-eminent talents as a lawyer, and his inflexible uprightness as a judge, were acknowledged by all that knew him. But to you, gentlemen, the enumeration of his attainments and services will be unnecessary—the regret of the public, and the unfeigned grief of his friends and acquaintances, accompanied him to the grave. May the members of that profession to which he was so illustrious an ornament, do honor to his example and memory, by imitating his virtues.

Since your former session, I have received fifteen hundred stands of arms, which were delivered by order of the secretary of war, conformably to the act of congress, making provision for arming the militia of the United States. The arms have been deposited in the public arsenal at Cambridge, and are ready for distribution, under such regulations as shall be prescribed by the legislature. Pieces of ordnance and other suitable munitions of war, have been sent to those towns on the coast, which were thought most exposed; and a number of small arms have also been distributed, which had been purchased by virtue of the resolve of the 27th of February last. An account of the measures taken by the executive under the resolve of the sixteenth of June, and the annual return, by the adjutant-general, of the militia of this state, will be laid before you.

The court of common pleas for the middle cir-

cuit has made a representation to the governor and council, that the security, which the law requires of coroners, was, in some instances, given a long time since—that their sureties may be dead or have become insolvent: and that in actions of replevin against sheriffs for large quantities of goods, and in many other cases, the public are not secure: And that the courts of common pleas have no authority by law to require coroners to give new security when the former has become insufficient. As the legislature can provide the most convenient and effectual remedy in this case, the council advised me to transmit the above representation to the two houses.

The right of fully investigating political subjects, and of freely expressing our sentiments in relation to them, is secured to us by our constitutions, and is essential to the public safety and the preservation of a free government: Without the exercise of this right, the most oppressive laws would not be repealed, nor the most grievous abuses reformed; and whoever attempts to invalidate this privilege, whatever name he assumes, is not a friend to republican liberty.

When the government of a nation engages in a war that is unjust and unnecessary, the people are bound, notwithstanding, to submit to the laws which are enacted agreeable to the constitution, and are justified in defending themselves against hostile invasion. If they do nothing more, the government alone is answerable for all the suffering's endured or inflicted. But though, at the first view, almost every man is shocked with the idea of war, as a violation of the obvious principles of humanity; yet there is danger, that, from the continuance of it, or from selfish considerations, a sense of justice and the influence of moral principles will be lost among the people. In the tumult of arms the passions of men are easily inflamed by artful misrepresentations—they are apt to lose sight of the origin of a contest, and to forget, either in the triumph of victory, or the mortification of defeat, that the whole weight of guilt and wretchedness occasioned by war, is chargeable upon that government which unreasonably begins the conflict, and upon those of its subjects who voluntarily and without legal obligation, encourage and support it.

If the British orders in council were a principal cause of the present war, we had the utmost reason to expect, that when those orders were revoked, and an armistice was proposed with a view of opening the way to an accommodation, that proposal would have been readily agreed to. But the revocation of the orders seemed to produce no effect on the measures of our administration. And though the British government had often declared, that the orders should be revoked when the French decrees were repealed—though they were revoked as soon after the repeal was notified, as the then deranged state of the British ministry would permit—and though, in the act of revocation, the repeal of the French decrees was assigned as the cause of it—yet an attempt has been made to convince the people of this country, that the British orders were not revoked in consequence of the repeal of the French decrees, but from the pressure of our restrictive system. This attempt seems to exhibit a want of fairness and a disposition unfriendly to peace with Great Britain.

Nor can we readily believe that the war was declared or is carried on for the protection of our *native* seamen. The states which produce them, well know, that the number impressed by British ships has been grossly exaggerated—that the British government has uniformly disclaimed any right to impress them—that when impressed, they have been discharged when their citizenship was ascertained, and that the number of British seamen employed by us, has, at all times, been far greater than those of all nations who have been impressed from our vessels. No class of men has suffered more by the war than our gallant native seamen; they have been more injured in one year of hostility, than they ever were, or probably ever would have been by British impressment—they are eminently distinguished for bravery and naval skill, and whenever their services can be useful to their country, they will do all that men can do. But their number is diminishing, and during the war must continue to diminish, from the annihilation of their ordinary business, as well as from the immense superiority of force employed against them.

If we are contending for the support of a claim to exempt British seamen from their allegiance to their own country, is it not time to inquire whether our claim is just? And, if the justice of it was apparent, whether the cause we are pursuing has any tendency to establish it and to change the opinions and laws of the states of Europe? So far as the war is carried on for this purpose, or to protect neutral merchant ships from search by belligerents, it seems to be equally opposed to our own principles and practice, and the established rules and usages of other nations.

The late act of the national government interdicting the trade coastwise, between different parts of the same state, as well as between the states respectively and with all foreign nations, contains provisions of such a character as makes it worthy of an inquiry, whether any measures can be properly adopted by this government, which would be likely to induce congress to repeal them, or to amend them in such manner as to render their constitutionality less questionable?

The friends of peace are accused of being under British influence, but their accusers ought to reflect, whether partialities of an opposite kind have not produced the evils we suffer, and whether if our conduct towards both belligerents had been impartial, a war with either would have been thought necessary. We had assumed the character of a neutral nation; but had we not violated the duties imposed by that character? Had not every subject of complaint against one belligerent been amply displayed, and those against the other concealed or palliated? And had we not, in the former case, been remarkably sagacious in discovering insults, and equally solicitous in the latter to keep them out of sight? It has indeed been suggested that we have no connection with France in regard to the war; but when England and France were engaged in a most arduous struggle, and we interfered and assaulted one of them, will any man doubt our intention to assist the other? Some connection seems also to be implied in the proposal which was made by the French emperor, that the congress at Prague should be composed of plenipotentiaries from France, the United States, Denmark and the other allied princes, on the one hand, and the plenipotentiaries of England, Russia, Prussia and their allies, on the other.

Previously to the French revolution, there was seldom an instance in the history of civilized nations, in which a prince or government engaged in war without alledging reasons to justify the measure; and though, in some cases, the motives of the war were unjust, the reasons assigned were specious; and in pretence, at least were founded in necessity. But the French emperor has thought fit to dispense with these forms and to wage war without even a pretence of injury. The glory of the prince or the convenience of the great nation have been deemed suffi-

cient grounds for subjugating one after another, the states of Europe; and so far as the influence of the government extends, a species of political morality has been introduced, which annuls the distinction between power and right, and authorises a government and its subjects, whenever they are able, to subdue or destroy the neighboring states. How extensively this system of morals has been adopted it is impossible to say: But we have seen the rapacious and desolating progress of the French government approved by Americans, and have been often told it would be *convenient* for us to expel the Indian tribes to a still greater distance; and to conquer the adjoining provinces of Great Britain and Spain, and annex them to the United States. There was some grounds to hope that the events of the Russian campaign might incline the French rulers to call in question the policy, if not the justice, of this predatory system; and induce them to renounce those false and fatal principles, which have been injurious to their own nation and destructive to the peace and happiness of the world. Had such been the case, the disasters they met with might eventually have proved beneficial even to themselves: For no people are less to be envied, than they, who prosper in a cause of deceit and violence and whose retribution is deferred till repentence can afford no relief.

As we are unable to ascertain the motives under which the government is actuated in prosecuting the war, we can form no opinion concerning its probable duration. Peace, however, must be ardently desired by the people of this commonwealth, as the present state is unfavorable to their morals, and ruinous to their prosperity; and besides, a large national debt has been already incurred, and is continually increasing, which will probably have the same continuance as the union of the states, and must entail upon the present generation and their posterity the burdens of direct and oppressive taxes.

But though our fellow citizens have suffered greatly since the war by the loss of property on the ocean, and by an almost total interruption in their fisheries and other maritime pursuits, and the difficulties they have met with in conveying necessary supplies from one part of the coast to another, yet we have abundant cause of gratitude for the internal order and tranquility which have prevailed through the state, and plentiful harvests with which the Almighty has been pleased to favor us the past year. May we be solicitous not to abuse the gifts of his bounty by a pernicious or prodigal use of them.

CALEB STRONG.

*January 12th*, 1814.

# Proceedings of Congress.

*Thursday, January* 6.—The following resolution was yesterday laid on the table by Mr. Jackson, of Virginia—

*Resolved by the senate and house of representatives of the United States of America in congress assembled, two-thirds of both houses concurring*, That the following articles be proposed to the legislatures of the several states, as amendments to the constitution of the United States, each of which, when ratified by three-fourths of the said legislatures, shall be valid to all intents and purposes, as part of the said constitution:

1. Congress shall have power to lay a tax or duty not exceeding per centum ad valorem on articles exported from any state.
2. Congress shall have power to make roads in any state.
3. Congress shall have power to make canals in any state, with the consent of the state within which the same shall be made.
4. Congress shall have power to establish a national bank with branches thereof in any state.

Many private petitions were read and referred.

Mr. Ingersoll, from the committee to whom was referred the memorial of Oliver Evans and of others interested on the subject of patent terms in general, and Mr. Evans's improvements in milling particularly, made a report in part on the petitions of the four manufacturers against Oliver Evans' patent, concluding with a resolution that "their petition ought *not* to be granted." This report was, on motion of Mr. Fisk of N. Y. referred to a committee of the whole.

Mr. Ingersoll stated also, for public information, that in relation to the subject at large of the extension of patent terms generally, it was the committee's impression that it would be inexpedient generally to extend the terms of patent rights, though an extension might be due to Mr. Evans' improvement of the steam engine. A decision on this question, however, had been deferred by the committee, with a view to afford an opportunity to persons claiming like indulgence to bring their claims before congress.

Mr. Murfree, after some prefatory remarks, in which he adverted to the failure of our arms, proposed the appointment of a responsible officer [a lieutenant-general] to take charge of the military establishment. He said the necessity of having such a head to the army was seen and acted upon in 1798. He adverted to the absence of the secretary of war from the seat of government, assuming the office of commander in chief, in addition to the other important duties he was required to perform. Mr. Wright denied that our arms had failed; but was not opposed to the reference of the subject to the military committee. He complimented the secretary of war for his exertions, and said we had succeeded in every thing, but at the close of the campaign, when storms and climate defeated the expected issue. The motion laid over for consideration.

Mr. Sharp, having explained the laws relating to the militia which subject them when in regular service, to the rules and articles of war, adverted to the recent proclamation of governor *Chittenden*, and complimented the "Green Mountain Boys" for their refusal to obey it, offered the following—

*Resolved*, That the militia of any of these United States, or the territories thereof, when lawfully employed in the service of the United States, are subject to the same rules and articles as the troops of the United States.

*Resolved*, That every person not subject to the rules and articles of war, who shall procure or entice a soldier in the service of the United States to desert, is guilty of an infraction of the laws of the United States and subject to punishment.

*Resolved*, That his excellency Martin Chittenden, governor of the state of Vermont, by issuing his proclamation dated at Montpelier on the 10th day of November, in the year of our Lord, 1813, did entice soldiers in the service of the United States to desert—Therefore,

*Resolved*, That the president of the United States be and he is hereby requested to instruct the attorney general of the United States to institute a prosecution against the said Martin Chittenden.

Mr. Fisk, of Vt. expressed his regret that these resolutions had appeared; which he thought was the sense of the whole delegation from *Vermont*. He thought few people in that state, and certainly none of its representatives, approved of the proclamation—but if the governor had committed an offence, he was liable at the proper tribunal. He thought that house ought not to interfere in the matter; being calculated to bias the proceedings that might be had against him. This opinion seemed generally to prevail. The resolutions were laid over for further consideration.

Mr. Pickens' resolutions to amend the constitution of the United States were taken up in committee of the whole. Mr. Grosvenor opposed and Messrs. Pickering and Gaston supported them—they were laid aside on receiving the message of the president, inserted in our last number.

*Friday, January* 7.—Mr. Wheaton presented a petition of Paul Cuffe, a free colored man, who states that from motives of religion and humanity he hath been induced to attempt the civilization and amelioration of the inhabitants of the African continent, and praying permission for a vessel to depart from the United States to Sierra Leone for the purpose of carrying a number of families of free colored people to effect the object of his undertaking. Referred to the committee of commerce and manufactures.

Mr. Ingersoll, after some remarks on the powers and patronage of the postmaster-general, comparing his authority in the appointment of his numerous officers, with the restricted powers of the other branches of the government, offered the following resolution:

*Resolved*, That a committee be appointed to enquire into the expediency of revising the laws regulating the general post-office establishment of the United States, and of so amending them as to render them more conformable than they are at present to the principles of the constitution, as regards the appointments to office under that establishment.

Which was passed and referred as proposed.

Mr. Grosvenor offered the following resolution:

*Resolved*, That the committee on military affairs be instructed to enquire into the acts, rules and regulations by which furloughs or leave of absence from the armies of the United States are obtained for the officers thereof, and whether said acts, rules or regulations ought to be revised, altered or amended, and that they have leave to report by bill or otherwise.

Mr. Troup, chairman of the military committee, opposed the resolution and deprecated the disposition of the house to interfere in the management of the army. He read the following article from regulations of the war office respecting furloughs—

No furlough shall be given during a campaign; nor any, but by the general commanding the district or army, and for the cause of disability, which disability shall be certified by a regimental or hospital surgeon.

Furloughs shall, beside expressing the term of time granted to absentees, express also an order to join the regiment, post or garrison, to which they may belong.

No order shall be given to officers seeking a furlough for their own convenience, which shall have the effect of entitling them to an allowance for the transportation of baggage.

The motion lies on the table.

The bill making a partial appropriation for the military establishment, as returned from the senate, amended, was then taken up and after debate, passed—ayes 95, nays 52. Adj. until Monday.

*Monday, January* 10.—Several petitions were read and referred.

Mr. Troup reported a bill to raise three additional regiments of riflemen; and a bill authorising the president to raise for five years or for the war, fourteen of the regiments authorised by the act of January 29, 1813, which bills were severally twice read and committed to a committee of the whole house.

On motion of Mr. Grosvenor, of New-York, the house proceeded to consider the following resolution, submitted by him on Friday last, which was read and agreed to by the house.

*Resolved*, That the committee on military affairs, be instructed to enquire into the acts, rules and regulations, by which furloughs or leave of absence, from the armies of the United States, are obtained for the officers thereof, and whether said acts, rules or regulations ought to be revised, altered or amended, and that they have leave to report by bill or otherwise.

Mr. Wright, of Md. submitted the following resolution.

*Resolved*, That a committee of the whole house be instructed to enquire into the expediency of extending the 2d section of the act, for the establishment of rules and articles for the government of the armies of the United States, relative to spies, to the citizens of the United States.

The question on this motion, was decided by yeas and nays, as follow: yeas 85—nays 77.

The house proceeded to consider the resolutions submitted by Mr. Hanson, of Md. on the 28th ultimo: when Mr. Hanson withdrew the said resolutions, [see page 298] and offered the following in lieu thereof:—

*Resolved*, That the president of the United States be, and he is hereby requested to communicate to this house, any information in his possession, and which it may not be improper to divulge, in relation to the omission or refusal of the French government, to accredit the minister plenipotentiary sent by the United States to that court, or of his reception if accredited, of the time when he was so accredited, and of the progress of his negociation.

*Resolved*, That a committee be appointed to enquire, whether Mr. Turreau, late minister of France, did or did not, on or about the 14th of June, 1807, write a letter to the secretary of state, setting forth the terms and conditions, upon which his government would treat of amity and commerce with the United States, and using certain complaints against this government, and requiring certain political sacrifices to be made, as an indispensable pre-requisite to the formation of such a treaty, and whether the said letter was not withdrawn from the archives of the department of state, and *how* and *when* it was so withdrawn; and that the said committee have power to send for persons and papers.

On the question, whether the house will now proceed to consider the said resolution, it was decided by yeas and nays, as follows: yeas 90—nays 69.

And before deciding further on the same—the house adjourned.

*Tuesday, January* 11.—Mr. Ingersoll of Penn. from the committee appointed to enquire into that subject, reported a bill "providing for the appointment of post-masters."—[That after the first day of May next, no person shall act as post-master in any office of the United States, who shall not have been nominated by the president, and receive the approbation of the senate.] The bill was twice read and committed.

Mr. Lowndes, of S. C. from the committee on naval affairs, reported a bill further to amend the act regulating pensions to persons on board private armed vessels; which was twice read and committed.

The consideration of Mr. Hanson's resolutions occurring—The first, after some remarks by Mr. Calhoun, who said it called for information in a proper manner, was agreed to without a division.

Of the second resolution, Mr. Calhoun said, it was of a character unprecedented in its call on the executive, and that to warrant its adoption a specific object—what was expected to grow out of it, and that the object was of a character to warrant the investigation, should be shewn. Mr. Hanson made a long speech on the subject in which he maintained the propriety of the resolution, and enforced its adoption——the letter had been, he said, in the department of state, and that the facts that belonged to it were proper subjects for enquiry. Mr. Calhoun again rose, and opposed the resolution——he said, "Suppose it were proved that this letter was in fact written by general Turreau, and that all the other circumstances relating to it were true, which for himself he did not credit, what did it prove? Merely that an impertinent letter had been written by a foreign minister. Did the executive sanction it? No. What view the executive ought to take of such a letter, or how to treat it, depended on a variety of circumstances, on which this house had not the means to form an opinion."

Mr. Gaston replied to Mr. Calhoun—he thought the opposition to the resolution proceeded from an over delicacy in respect to the executive. He thought the matter important as shewing the terms on which the French government would be in amity with us, &c. Mr. Roberts followed and disclaimed any idea of infringing the rights of the house to a call for information or of shielding the executive. He stated that the ground of the resolution rested on newspaper evidence, and, generally, that the matter was not worth the time consumed with it. He viewed the motion as a "bug-bear," but it was a frivolous thing, when measures of real importance burthened the table of the house. After a motion to amend the resolution, Mr. Fisk of N. Y. conceiving that the house was trifling with the feelings of the nation, moved to postpone the subject until March next——decided in the negative. Mr. Oakly advocated the resolution generally. He said—The practical result then of successful enquiry would be to prove the executive to have been guilty of a high crime or misdemeanor, and subject to impeachment.

Mr. Alston of N. C. followed in opposition to the resolution, partly on the same grounds as occupied by others in opposition to it. If every fact alleged were proved, he said, it would prove nothing against the executive. This subject originated in *ifs* and *wherefores*, and proceeding an enquiry to the utmost, there it would end. Mr. A. adverted to the sensibility gentlemen yesterday displayed on the proposition to prevent spies, (orysim if you will, from stalking abroad; and expressed his astonishment at the inconsistency of their conduct to-day on a matter of much more doubtful propriety.

Mr. Grosvenor, of N. Y. adverted, somewhat harshly, to what had fallen from Mr. Alston on the subject of yesterday's debate, and proceeded to speak in support of the resolution, which he warmly advocated on the grounds before occupied, declaring in substance, that if the facts were proved, the president merited impeachment for concealing them—and appeared to conceive the permission of the withdrawal of the letter to be no less an offence than he considered its concealment to have been; because the same rule extended would sanction the destruction or giving away of any public document at any time, or even of all the papers in the department of state.

Mr. Calhoun rose again, and ridiculed the idea of an enquiry by the house into the baseless accusation of French subserviency—— he said, The very document by which gentlemen wished to prove a French influence, cut up by the roots the fanciful absurdity—being predicated on the supposed existence of an influence of a very different character.

Mr. Sharp spoke at considerable length against the resolution. He contended, that put what construction they might, the retraction of the letter was its apology. He said, the hon. mover had told the house the other day that he had in his possession the only authentic copy of the letter, translated in the hand writing of one of the clerks in the department of state. How came it into the gentleman's possession? How does he know it to be authentic, or to have been translated in that manner. Mr. S. called upon gentlemen to let the house know what they knew, and let the house predicate any proceeding thereon it thought proper.

Some conversation now took place between Messrs. Grosvenor, Calhoun and Macon of N. C. on the subject of the proceedings on the impeachment of judge Chase, which has been drawn into consideration on the question of precedent, &c.

Mr. Wright spoke warmly, and mentioned in his remark a toast drank by a venerable member of the house, "*Britain's fast anchored isle, the bulwark of our holy religion.*" He was checked by the speaker——

Mr. Gaston again spoke in support of the proposition, as affording information necessary for legislative acts likely to come before the house during the present session—and in reply to Mr. Calhoun's remarks on the variety of reasons offered by the advocates of the motion.

Mr. Wright rose to say, that the venerable gentleman to whom he had first alluded (Mr. Pickering) had very politely corrected his statement of his toast, and written it down for him as follows:— "The world's last hope—Britain's fast anchored isle"—which sentiment, the same gentleman had informed him, "he had no objection should be inscribed on his tombstone."

Mr. *Stockton* spoke in favor of the resolution, and in reply to Mr. Sharp.

Mr. *Macon* assigned the reason why he should vote for the proposition—not but he believed the president to be pure and free from corruption—but because he had no objection to the whole truth being known; to which the president would have no objection, inasmuch as a pure man, like pure gold, need fear no scrutiny. He conceived the retraction of the letter to be a disavowal in fact, and in the nature of an apology for having sent it.

The question to amend the resolve so as to require the information therein stated from the executive instead of obtaining it through a committee, was decided in the negative by a large majority.

The main question on the adoption of the resolution was taken, at a late hour, and decided as follows:

YEAS—Messrs. Baylies, of Mass. Bigelow, Boyd, Bradbury, Breckenridge, Brigham, Caperton, Champion, Cilley, Cox, Culpeper, Davenport, Davis, of Mass. Dewey, Ely, Gaston, Goddes, Grosvenor, Hale, Hanson, Hufty, Hungerford, Jackson, of R. I. Kent, of N. Y. King, of Mass. Law Lewis, Lovett, Macon, Miller, Moffit, Mosely, Markell, Oakley, Pearson, Pickering, Pitkin, Potter, John Reed, William Reed, Ridgely, Ruggles, Schureman, Sheffey, Sherwood, Shipherd, Smith, of N. Y. Stanford, Stockton, Stewart, Sturges, Tallmadge, Thompson, Vose, Ward, of Mass. Webster, Wheaton, Wilcox, Wilson, of Mass. Winter—60.

NAYS—Messrs. Alexander, Alston, Anderson, Archer, Avery Bard, Barnett, Bayly, of Virg. Beall, Bowen, Bradley, Brown, Burwell, Butler, Caldwell, Calhoun, Chappell, Cheves, Clark, Clopton, Comstock, Conard, Crawford, Creighton, Crouch, Davis, of Penn. Dawson, Denoyelles, Desha, Duvall, Earle, Eppes, Evans, Farrow, Fisk, of Ver. Fisk, of N. Y. Forney, Forsyth, Franklin, Gholson, Glasgow, Gourdin, Griffith, Grundy, Hall, Harris, Hasbrouck, Hawes, Hubbard, Humphreys, Ingersoll, Ingham, Irwin, Jackson, of Virg. Johnson, of Virg. Kennedy, Kent, of Md. Kerr, Kershaw, Kilbourn, King, of N. C. Law Lefferts, Lowndes, Lyle, M'Coy, M'Kim, M'Lean, Moore, Murfree, Nelson, Newton, Parker, Pickens, Piper, Pleasants, Rea, of Penn. Rhea, of Ten. Rich, Richardson, Ringgold, Ross, Roberts, Robertson, Sage, Sevier, Sybert, Sharp, Skinner, Smith, of Pen. Smith of Virg. Strong, T. Blair, Troup, Udrey, Ward, of N. J. Whitehill, Wilson, of Penn. Wright, Yancey—100.

So the resolution was rejected. Adjourned.

*Wednesday, January* 12.—Mr. Roberts, after stating his desire to gratify the gentlemen in the minority, as well as satisfy his own curiosity, proposed the *original* resolution offered by Mr. Hanson [see page 298] as a substitute for that which was yesterday rejected.

Mr. Hanson warmly opposed this and was called to order for his personalities. He afterwards spoke of his being in possession of the *document*, which he pledged himself to be authentic, &c. He thought the substitute an evasion of the enquiry. Mr. M'Lean supported the motion, but ridiculed the *importance* that had been

ttributed to the subject by the minority of the house. Mr. Post opposed the resolution on the ground of inefficiency.

Mr. Roberts replied to Mr. Post. His object was to obtain full and complete information on this subject, and to institute an enquiry how this withdrawn letter had come into the possession of those who now say they have it. That information, when demanded yesterday, had been refused by those in whose power it was to give it.

Mr. Grosvenor replied to Mr. Roberts and opposed the resolution; the paper in question was in the possession of a member of the house; and he wished the matter thoroughly investigated.

Mr. Barnett said the only real question before the house these two days was, whether the house should go in at the door or climb over the walls of the public offices to get at the necessary information. Mr. B. was for the first course; and if gentlemen on the other side, said he, are determined to go over the wall, let them receive that denunciation which it is said those shall have who go over the wall.

Mr. Webster avowing a wish that if the enquiry was made, it should be effectual, which he conceived it could not be under the present motion, moved to amend the motion by substituting therefor that which was yesterday rejected.

Many motions were now made; and *vast* debate was had upon them. After several members had spoken, Mr. Roberts' resolution was carried by a large majority—*and thus were three days of the people's time consumed.*

*Thursday, January* 13.—On motion of Mr. Troup the house resolved itself into a committee of the whole, on a bill making provision for filling the ranks of the regular army, &c. *Sec.* 1, provides a bounty of 100 dollars; payable 25 on enlisting, 25 on mustering and joining some military corps, and fifty at the expiration of his service, which is for five years, unless sooner discharged; when he shall become entitled to a bounty of 320 acres of land. *Sec.* 2, gives a premium of 8 dollars for the enlistment of said soldier. *Sec.* 3, increases the monthly pay of the privates to 10 dollars per month; that of the non-commissioned officers and musicians is proportionably advanced. *Sec.* 4 and 5 provide for the re-enlistment of the soldiers whose time of service will soon expire, granting them the advantages stated in the first section.

On this bill a variety of opinion existed, though there was little difference of principle, in the majority of the house.

After debate, the bill was ordered to be engrossed for a third reading.

*Friday, January* 14.—Mr. Taylor, of N. Y. from the committee on the militia system, made a report on the resolution directing them to enquire into the expediency of altering the tour of militia duty to three months, concluding with the following resolution:

*Resolved*, That it is inexpedient to limit the service of the militia called out under the authority of the United States to a term not exceeding three months.

This resolution, after some discussion in which Mr. Kerr warmly opposed its adoption, was agreed to.

On motion of Mr. M'Kim,

*Resolved*, That the secretary of the treasury be required to lay before this house a digest of American manufactures heretofore ordered to be made out under his direction, if the same be prepared, and to report the progress made in this work if not ready for delivery.

On motion of Mr. Jackson, of Va.

*Resolved*, That the committee on the judiciary be and they are hereby instructed to enquire whether it be not required by the constitution of the United States to extend the jurisdiction of the courts of the United States in cases not provided for by law; and also into the expediency of such extension.

Mr. Beall, of Ohio, offered a resolution intended to apply to the state of Ohio only, but which was, on the suggestion of several gentlemen, so varied and amended as to read as follows: viz.

"*Resolved*, That the committee of claims be instructed to inquire into the expediency of providing by law for adjusting and satisfying claims of citizens of the United States, or territories thereof, arising from articles impressed and supplies furnished to detachments of militia ordered into public service by the authority of said states and territories from the commencement of the present war."

Thus amended, the resolution was agreed to, ayes 90.

Mr. King, (of Mass.) after an introductory speech of considerable length, offered the following resolutions—

*Resolved*, That the constitutional powers of congress do not extend to the suspension or interdiction of the coasting trade of the United States of America from a district in one state to a district in the same state.

2. *Resolved*, That the constitutional powers of congress do not extend to a suspension or interdiction of the coasting trade of the United States of America from a district in one state to a district in the same state or an adjoining state on the sea coast or on a navigable river: Therefore,

3. *Resolved*, That the committee on foreign relations be and they are hereby instructed to bring in a bill to repeal so much of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, passed on the 17th day of December, A. D. 1813, as suspends or interdicts the coasting trade of the United States of America from a district in one state to a district in the same state or an adjoining state on the sea coast, or on a navigable river.

*The house refused to consider these resolutions*, by a large majority.

The engrossed bill for the encouragement of enlistments, &c. was read a third time.

Mr. Sheffey offered the following new section by way of *rider* to the bill.

"*And be it further enacted*, That the troops to be enlisted shall be limited to the defence of the territories of the United States or the frontiers thereof, or such part thereof as the president of the United States shall elect and determine."

After some objection on the question of order as to the admission of a *rider* to a bill, being contrary to practice, and a discussion on the principle of the proposed rider, the question on its passage to a second reading, was decided as follows:

| | |
|---|---|
| For Mr. Sheffey's motion | 54 |
| Against it | 103 |

The bill was then put on its passage, and a warm debate ensued till 7 o'clock in the evening; when the previous question was required (which precludes further debate) and decided thus:

| | |
|---|---|
| For the previous question | 76 |
| Against it | 68 |

The main question was then put—"shall the bill pass?" and decided as follows:

AYES—Messrs. Alexander, Alston, Anderson, Archer, Avery, Bard, Barnett, Bowen, Beall, Bradley, Brown, Burwell, Caldwell, Calhoun, Chappell, Cheves, Clark, Clopton, Comstock, Conrad, Crawford, Creighton, Crouch, Dawson, Desha, Duvall, Earle, Eppes, Evans, Findley, Fisk, (of Vt.) Fisk, (of N. Y.) Forney, Forsythe, Franklin, Gholson, Glasgow, Gourdin, Griffin, Grundy, Hall, Harris, Hasbrouck, Hawes, Hubbard, Humphreys, Hungerford, Ingersoll, Ingham, Jackson, (of Va.) Johnson, (of Va.) Kennedy, Kent, (of N. Y.) Kent, (of Md.) Kerr, Kershaw, Kilbourn, Law, Lefferts, Lowndes, Lyle, Macon, M'Coy, M'Kee, M'Kim, M'Lean, Montgomery, Murfree, Moore, Nelson, Newton, Ormsby, Parker, Piper, Pleasants, Rea, (of Pa.) Rhea, (of Ten.) Rich, Ringgold, Roan, Roberts, Robertson, Sage, Sevier, Seybert, Sharp, Skinner, Smith, (of Pa.) Smith, (of Va.) Tannehill, Taylor, Telfair, Troup, Udree, Ward, (of N. J.) Whitehill, Wilson, (of Pa.) Wright, Yancey—

NAYS—Messrs. Baylies, (of Mass.) Bayly, (of Va.) Bigelow, Boyd, Bradbury, Brigham, Caperton, Champion, Cilley, Cooper, Cox, Culpepper, Davenport, Davis, (of Mass.) Dewey, Ely, Gaston, Geddes, Grosvenor, Hale, Huffy, Jackson, (of R. I.) Kent, (of N. Y.) King, (of Mass.) Miller, Moffit, Mosely, Markell, Oakley, Pearson, Pickering, Pitkin, Post, Potter, J. Reed, W. Reed, Ridgely, Ruggles, Schureman, Sheffey, Sherwood, Shipherd, Smith, (of N. Y.) Stanford, Stockton, Sturges, Taggart, Thomson, Vose, Ward, (of Mass.) Webster, Wheaton, Wilcox, Wilson, (of Mass.) Winter—

And the house adjourned.

*Saturday, January* 15.—Mr. M'Lean, of Ohio, offered the following resolution:

*Resolved*, That the committee on so much of the president's message as relates to the militia law, be instructed to enquire into the expediency of making provision by law for the families of the privates in the militia of the United States, who have been slain by the enemy or died in the service since the commencement of the war, and that they have leave to report by bill or otherwise.

The resolution having been amended, on motion of Mr. Nelson, of Virg. so as to include non-commissioned officers as well as privates, and volunteers as well as militia, was adopted.

Mr. Eppes having stated that Virginia had expended 387,000 dollars, moved the following resolution:

*Resolved*, That the secretary of war be instructed to lay before this house, a report on the claims of the state of Virginia, for monies advanced in the service of the United States, to the detachments of militia, distinguishing such claims as under existing laws can be settled, and distinguishing also such claims as cannot be adjusted and settled without the intervention of legislative provisom.

This resolution was so amended, on suggestion of Mr. Macon, as to include a general enquiry as to advances made by any state, although Mr. Eppes and Mr. Burwell objected to the amendment, on the ground that advances made by other states did not stand on the same footing as those of Virginia, which had considerably advanced in a train of settlement before they were rejected.

The resolution having been further amended, on the suggestion of Mr. Hemphill, so as to include the territories as well as states, was agreed to.

On motion of Mr. Troup, of Geo. the house resolved itself into a committee of the whole, Mr. King, of N. C. in the chair, on the bill, sent to this house from the senate, "authorising the president of the United States to cause certain regiments therein mentioned to be enlisted for five years, or during the war."

After some time spent therein, the committee rose, reported progress and had leave to sit again.

[The debates yesterday and to-day were very animated. The editor of the *National Intelligencer* is expected to report them at length, and we shall insert some of them in the *Register*.]

*Monday, January* 17.—A letter was received from the acting secretary of the treasury communicating a digest of the returns of the marshals respecting manufactures made in 1810.

Mr. Reed submitted the following resolution:

*Resolved*, That a committee be appointed to enquire whether any, and if any, what means of retrenchment and economy of reform in the general management, and of extension and efficiency in the naval establishment, may be practicable and expedient, and that they have power to send for persons and papers.

Mr. Seybert, in the absence of the chairman of the naval committee (Mr. Lowndes) stated his conviction that nothing effectual could be done by the proposed committee—he thought a navy board, only, could make necessary reforms. He stated as a fact that the persons employed in our naval service cost less *per man* than those employed in the navy of Great Britain.

Mr. Reed said the enquiry was not promoted for any alledged mismanagement in the individuals of the navy department. His design was merely to collect the opinions of practical men on the subject. The resolution was laid on the table.

The house again resolved itself into committee of the whole, Mr. King in the chair, on the bill authorizing the enlistment of certain regiments for five years or during the war.

After several members had spoken thereon, the committee rose and had leave to sit again. It appears that all these debates involved the question as to the policy of the war.

*Tuesday, January* 18.—Mr. Roberts moved to amend the standing rules of the house so that stenographers should be sworn to report the debates or proceedings faithfully; and directing that the said reports should be signed by them when published, &c.

Mr. King, after some remarks that went to shew the hardship of many persons employed in the coasting trade, who had been kept from returning to their homes with their vessels by the embargo, offered a resolution that had for its object an enquiry as to the expediency of relieving them. A good deal was said on the subject, and the resolution was finally agreed to—82 to 69.

Mr. Gaston offered the following resolution—

*Resolved*, That pending the negociation with Great Britain, it is inexpedient to prosecute military operations against the Canadas for invasion or conquest.

*Which the house refused to consider*, 92 to 67.

Messages from the president were received respecting our relations with France and the Russian mediation, both which are inserted below.

## RELATIONS WITH FRANCE.

*Message from the president to the house of representatives of the United States.*

I transmit to the house of representatives a report of the secretary of state complying with their resolution of the 14th inst. JAMES MADISON.

*Jan.* 18, 1814.

### REPORT.

The secretary of state, to whom was referred the resolution of the house of representatives of the 11th inst. requesting the president to communicate to the house any information in his possession, and which it may not be improper to divulge, in relation to the omission or refusal of the French government to accredit the minister plenipotentiary sent by the United States to that court, or of his reception if accredited, of the time when he was so accredited, and of the progress of his negociation, has the honor to communicate to the president, for the information of the house, the following letters in relation to that subject, viz:

A letter from Mr. Crawford to the secretary of state of the 15th August, 1813, enclosing one to the duke of Bassano of the 27th of July, and his answer of 1st August; and an extract of a letter from Mr. Crawford to the secretary of state of the 8th of September, 1812. Respectfully submitted.

JAMES MONROE.

*Department of state, Jan.* 18, 1814.

*Mr. Crawford to Mr. Monroe.*

PARIS, 15th Aug. 1813.

SIR—On the 27th ult. I wrote to the duke of Bassano, to inform him of my arrival in Paris, in quality of minister plenipotentiary of the United States. On the 8th inst. I received an answer, dated at Dresden, on the 1st. Copies of my note and of his answer are herewith enclosed.

With sentiments of high respect, &c.

(Signed) WM. H. CRAWFORD.

Hon. *James Monroe*, secretary of state.

*Mr. Crawford to the duke of Bassano.*

PARIS, 27th July, 1813.

*My Lord*—I have the honor to inform your excellency that I have been appointed by the president of the United States of America, minister plenipotentiary to the court of his imperial and royal majesty, the emperor of the French and king of Italy. I wait the pleasure of your excellency as to the time and manner of presenting my official credentials, preparatory to my reception by the government of his imperial and royal majesty, as the accredited minister plenipotentiary of the United States of America.

I seize on the present occasion to assure your excellency of the distinguished consideration with which I have the honor to be your most obedient and very humble servant.

(Signed) WM. H. CRAWFORD.

*His excellency the duke of Bassano.*

*Translation of a letter from the duke of Bassano to Mr. Crawford, dated Dresden, Aug.* 1*st*, 1813.

SIR—I have had great pleasure in hearing of your safe arrival in France, and I have received the letter which you did me the honor to address to me on the 27th of July, on your nomination in the quality of minister plenipotentiary of the United States to his imperial majesty the emperor of the French and king of Italy. The choice which your government has made of a person so distinguished in his own country, and so worthy of this honorable mission, cannot but be agreeable to his imperial majesty; and though he is at this time absent from Dresden, I can give you this assurance in his name. I will have the honor to communicate to you his intentions respecting the presentation of your letters of credence and your reception. Without waiting even for this, I will receive all the communications which you may think proper to make to me as minister plenipotentiary of your government, and the delay of a formality will produce no delay in the exercise of the mission confided to you, or in the correspondence which it will procure for me the benefit of holding with you.

Accept, sir, the assurance of my high consideration.

(Signed) DUKE OF BASSANO.

*His excellency Wm. H. Crawford, &c. &c.*

*Extract of a letter from Mr. Crawford to Mr. Monroe, dated Paris, September 8th*, 1813.

"I have just received an answer to the note which I addressed to the duke of Bassano, requesting Mrs. Barlow's passports. On the subject of recognition he says he is very solicitious I should present my letter of credence to the emperor in Paris. He does not repeat his invitation to communicate with him. The operations of the war will probably detain the emperor in the North (until) the winter. It is believed that the duke of Bassano will not return before him. If this opinion should be realized, the winter will be far advanced before I shall be able to draw the attention of the French government to the subjects of discussion between the two nations."*

## RUSSIAN MEDIATION.

*Message from the president.—To the house of representatives of the United States.*

I transmit to the house of representatives a report of the secretary of state complying with their resolution of the 13th inst. JAMES MADISON.

*January* 18*th*, 1814.

### REPORT.

The secretary of state to whom was referred the resolution of the house of representatives of the 13th inst. requesting the president to lay before the house such documents relative to the Russian mediation, as in his opinion it may not be improper to communicate, has the honor to transmit to the president, for the information of the house the following letters in relation to that subject, viz:

A letter in French (with a translation) from Mr. Daschkoff, envoy extraordinary and minister plenipotentiary of his majesty the emperor of Russia, to the secretary of state, of the 8th March, 1813, with the answer of the secretary of state of the 11th March.

An extract of a letter from the secretary of state to Mr. Adams, minister of the United States at St. Petersburg, of the 1st July, 1812, and four letters and extracts from Mr. Adams to the secretary of state, bearing date respectively on the 30th September, 17th October, and 11th December, 1812, and on the 26th June, 1813.

All which is respectfully submitted.

JAMES MONROE.

*Department of state, Jan.* 1814.

* Since the return of the emperor to Paris, Mr. Crawford has been received in ample form. ED. REG.

[Here follows in the regular series the original copy of M. Daschkoff's letter, a translation of which being inserted, we deem it unnecessary to insert the original.]

*Mr. De Daschkoff, envoy extraordinary and minister plenipotentiary of his imperial majesty the emperor of all the Russias, to the secretary of state of the United states.*

[TRANSLATION.]

The undersigned envoy extraordinary and minister plenipotentiary of his majesty the emperor of all the Russias, has the honor to make known to the secretary of state of the United States of America, that he has just received orders from the emperor his master, to make the following overture to his excellency the president of the United States.

The peace of Russia with England seemed to present this immense advantage to the commerce of nearly all seafaring people, that it freed their relations from that constraint, from that continual vexation to which it had been subjected for many years without intermission. The emperor viewed with pleasure a result so conformable to all his wishes, and which appeared as not being at all doubtful. It became so, however, by the war between England and America.

The undersigned is directed to express to the president of the United States the regret with which his imperial majesty forsees the great shackles which this new episode is about to oppose to the commercial prosperity of nations. The love of humanity and what he owes to his subjects, whose commerce has already sufficiently suffered, command him to do every thing in his power to remove the evils which this war is preparing even for those nations who will not take part in it.

His majesty, who takes pleasure in doing justice to the wisdom of the government of the United States of America, is convinced that it has done all that it could to prevent this rupture, but that treating of it directly would take away from the negociation all semblance of impartiality. In a direct discussion every thing would tend to excite the prejudices and the asperity of the parties. To obviate this inconvenience, his majesty the emperor, gratified at being able to give a proof of his friendship alike for his majesty the king of Great Britain and for the United States of America, wished to offer to them his mediation, and charged the undersigned to propose it to the president of the United States.

The undersigned having the honor to communicate to the secretary of state the sentiments and wishes of his imperial majesty, begs him to make them known to the president of the United States. The emperor would feel great satisfaction if a like disposition on the part of the United States should have the effect of stopping the progress of this new war, and of extinguishing it in its origin. From the satisfactory assurances which the president of the United States has constantly given to the undersigned, of the sentiments of regard and friendship on the part of the United States, and of his excellency for Russia, and particularly for the august person of his majesty, he cannot but flatter himself that he will receive an answer which shall correspond with the generous wishes of the emperor his master.

The undersigned cannot refrain from expressing on this occasion, to the secretary of state, his individual wishes for whatever may have a tendency to re-establish active relations between Russia and the United States, and to advance the prosperity of the republic.

He seizes with eagerness this occasion to renew to the secretary of state, the assurances of his highest consideration and respect.

(Signed) ANDRE DE DASCHKOFF.

Washington, 24th Feb. (8th March) 1813.

*The secretary of state to Mr. Daschkoff.*

[Copy] DEPARTMENT OF STATE, March 11, 1813.

SIR,—I have had the honor to receive your note of the 8th instant, making known to the president of the United States the disposition of his majesty the emperor of Russia, to promote peace, by his friendly mediation, between the United States and Great Britain.

I am instrusted by the president to assure you, that he sees in this overture, on the part of your sovereign, strong proofs of that humane and enlightened policy, which have characterized his reign.—It was impossible that a war between the United States and Great Britain should not materially affect the commerce of Russia, and it was worthy the high character of a prince, distinguished by his attachment to the interests of his people, to interpose his good offices for the restoration of peace. The president sees, at the same time in this overture, and in the circumstances attending it, a strong proof of the friendly interest which his imperial majesty takes in the welfare of the United States.

The United States, conscious that they were not the aggressors in this contest; that on the contrary, they had borne great wrongs for a series of years, before they appealed to arms in defence of their rights, are willing and ready to lay them down as soon as Great Britain ceases to violate those rights.

The president is aware that many of the inconveniences resulting from a direct communication between the parties themselves may be avoided, by the mediation of a third power, especially one entitled to, and possessing the entire confidence of both the belligerents. To the claim of Russia to that distinguished consideration, the president does not hesitate to express on the part of the United States his full acknowledgment. He recollects with much satisfaction that during a period of great and general contention, the relations of friendship have always subsisted between the United States and Russia; and he finds in the personal qualities, and high character of the emperor Alexander, a sacred pledge for the justice and impartiality which may be expected from his interposition.

Influenced by these sentiments, the president instructs me to inform you, that he willingly accepts the mediation of your sovereign to promote peace between the United States and Great Britain. I am instructed also to state, that such arrangements will be made, without delay, as will afford to his imperial majesty the opportunity he has invited, to interpose his good offices for the accomplishment of so important an event. Of these arrangements I shall have the honor to advise you in an early communication.

I have the honor to be, &c.

(Signed) JAS. MONROE.

*Extract of a letter from the Secretary of State to John Quincy Adams, Esq. minister plenipotentiary of the United States at St. Petersburgh.*

Department of State, July 1, 1812.

SIR—'On the 18th ultimo a declaration of war against Great Britain passed congress; of which, of the president's message, and report of the committee of foreign relations of the house of representatives leading to it, I have the honor to transmit to you copies.'

'You are too well acquainted with the causes which produced this result to require any explanation of them. As it appeared that Great Britain would not revoke her orders in council, on the just grounds on which it was claimed, but enlarged the conditions on which she proposed her willingness to revoke them, there remained no honorable course for the U. States to pursue short of war. On full consideration of all circumstances, this measure was adopted

and the government is resolved to pursue it till its objects are accomplished, with the utmost decision and activity in its power.'

'In resorting to war against Great Britain, as the United States have done, by inevitable necessity, it is their desire and hope that it may be confined to her only.

'It is seen with much regret that the emperor of Russia is likely to be reduced to the necessity of becoming a party to the war in Europe, if he has not already become so. Should that event take place, there is no reason why the war between the United States and Great Britain should affect, in the slighest degree, the very friendly relations which now exist between the United States and Russia. It is the sincere desire of this government to preserve, in their utmost extent, those relations with that power.

'With France, our affairs in many important circumstances are still unsettled; nor is there any certainty that a satisfactory settlement of them will be obtained. Should it however be the case, it is not probable that it will produce any closer connexion between the United States and that power. It is not anticipated, that any event whatever will have that effect.'

*Extract of a letter from Mr. Adams to the Secretary of State.*

St. Petersburg, 30th September, 1813.

"On the 20th inst. I received a note from the chancellor requesting me to call upon him the next evening, which I accordingly did; he told me that he had asked to see me by the emperor's command; that having made peace and established the relations of amity and commerce with Great Britain, the emperor was much concerned and disappointed to find the whole benefit which he expected his subjects would derive commercially from that event, defeated and lost by the new war which had arisen between the United States and England; that he had thought he perceived various indications that there was on both sides a reluctance at engaging in and prosecuting this war, and it had occured to the emperor that perhaps an amicable arrangement of the differences between the parties might be accommodated more easily and speedily by indirect than by a direct negociation: that his majesty had directed him to see me, and to inquire if I was aware of any difficulty or obstacle on the part of the government of the U. States, if he should offer his mediation for the purpose of effecting a pacification. I answered that it was obviously impossible for me to speak on this subject any otherwise than from the general knowledge which I had of the sentiments of my government: that I was so far from knowing what their ideas were with regard to the continuance of the war, that I had not to that day received any official communication of its declaration, but that I well knew it was with reluctance they had engaged in the war: that I was very sure, whatever determination they might form upon the proposal of the emperor's mediation, they would receive and consider it as a new evidence of his majesty's regard and friendship for the United States, and that I was not aware of any obstacle or difficulty which could occasion them to decline accepting it.

"I knew the war would affect unfavorably the interest of Russia. I knew it must be highly injurious both to the United States and England. I could see no good result as like to arise from it to any one.—The count replied, that he had considered it altogether in the same light, and so had the emperor, who was sincerely concerned at it, and who had himself conceived this idea of authorising his mediation.—He thought an indirect negociation conducted here, aided by the conciliatory wishes of a friend to both parties, might smooth down difficulties which in direct discussion between the principles might be found insuperable. To a mutual friend, each party might exhibit all its claims, and all its complaints, without danger of exciting irritations or raising impediments. The part of Russia would only be to hear both sides, and to use her best endeavors to conciliate them. I observed there was a third party to be consulted as to the proposal—the British government. The count answered, that it had already been suggested by him to the British ambassador lord Cathcart, who had the day before dispatched it by a messenger to his court. Some question occurred concerning the mode of enabling me to transmit this communication to the United States, upon which the count promised to see me again in the course of a few days. He said that he should write to Mr. Daschkoff, and instruct him to make the proposition to the government of the United States."

*Mr. Adams to the Secretary of State.*

St. Petersburg, 17th October, 1812.

SIR—I received a few days since a letter from Mr. Russel, dated at London, the 9th of September, and informing me that his mission there had closed, that he had received his passports, and that in three days from that time he should leave the city to embark at Plymouth for the United States. He adds that the British government had rejected a proposition which he had been authorized to make for a suspension of hostilities.

The evening before last I had another interview with the Chancellor Count Romanzoff, at his request. There had been rumors in circulation here of an armistice in Canada, and of the appointment of commissioners by the President for a new negociation with Great Britain. The Count asked me if I had any authentic information of these circumstances. I said I had not, that my information was altogether of a different aspect; and I told him the substance of Mr. Russell's communication. He then observed that this incident would not discourage this government from making an offer of its mediation, which he had suggested to me in a former conference. On the contrary, the failure of every new attempt at direct negociation confirmed him in the belief and hope that a mediation, migth be more successful, a mediation of a common friend, not only desirous from the sentiment of friendship to see the parties reconciled to each other, but having also a strong interest of his own in their reconciliation.

The Count said he had his despatches for Mr. Daschkoff ready, instructing him to make the proposition in form to the American government: and he asked me whether I could indicate to him a mode of transmitting them directly to the U. S. In our former conversation (reported in my letter of the 30th ult.) I had offered to despatch one of the American vessels now at Cronstadt, if the British ambassador would furnish her a passport, or any document that would protect her from capture by British armed vessels. The count said he had made the proposal to the ambassador, who had expressed his readiness to give the document; *provided*, the vessel and messenger should go by the way of England, a condition, which the Count said he had told the ambassador he could not ask me to agree to, and with which I did not think it, in fact, suitable to comply. There are, however, two American gentlemen here, on the point of departure for the United States, and by them I shall transmit this despatch and its duplicate, together with those of the chancellor to Mr. Daschkoff. I am, &c.

(Signed) JOHN Q. ADAMS.

*Mr. Adams to the Secretary of State.*

St. Petersburg, 11th Dec. 1813.

Sir—On the 4th inst. I received the duplicate of your favor of 1st July last, announcing the declaration by the congress of the U. States of war against G. Britain, and enclosing printed copies of the President's proclamation founded upon it, of his previous message recommending it, of the report of the committee of foreign relations proposing it, and of the National Intelligencer of the 20th June. The original of your letter with these documents not having yet come to hand, these gave me the first official communication of the war.

I had on the 7th inst. an interview with the Chancellor Count Romanzoff, in which I communicated to him the substance of that part of your dispatch which related to Russia, and those which concern the state of our relations with France. In the present state of the war between this country and France, I was convinced that the view of the American government's intentions with regard to that power, so explicitly and so strongly manifested in your letter, would not only be gratifying to the chancellor but that it would be satisfactory to the Emperor, and would powerfully counteract any impressions unfavorable to the U. States, which the English interest here is endeavoring to excite. I therefore told the count that although I had not been instructed to make to him any official communication of the declaration of war, the dispositions of the American government towards other powers and particularly towards Russia, to the cessation, had been distinctly suggested to me, in a manner which I felt it my duty to make known to him. That the United States, compelled by unavoidable necessity to vindicate their violated rights against Great Britain by war, were desirous that it might be confined exclusively to them and their enemy, and that no other power might be involved in it. That it was particularly and earnestly their wish to preserve and maintain in their fullest extent their commercial and friendly relations with Russia. That the war in which the Emperor is now engaged against France, although it could not be known by the Pol-

dent to have been actually commenced at the time when your despatch was written, was however contemplated as more than probable and the necessity which obliged the Emperor to take a part in it was mentioned to me as a cause of regret to the American government. But it was hoped it would not in the slightest degree affect the friendly dispositions between Russia and the United States. That I was informed by you that the principal subjects of discussion which had long been subsisting between us and France, remained unsettled. That there was no immediate prospect that there would be a satisfactory settlement of them; but that whatever the event in this respect might be, it was not the intention of the government of the United States to enter into any more intimate connexions with France. This disposition I added was expressed in terms as strong and clear as I thought language could afford. It was even observed that the government of the United States did not anticipate any event whatever that could produce that effect, and I was the more happy to find myself authorised by my government to avow that intention, as different representations of their views had been widely circulated as well in Europe as in America.

The count received this communication with assurances, of his own high satisfaction at its purport, and of his persuasion that it would prove equally satisfactory to the Emperor, before whom he should lay it without delay. He said that with regard to the friendly and commercial relations with the United States, *it was the Emperor's fixed determination to maintain them so far as depended upon him in their fullest extent.* He asked me if I had any objection to his communicating to the British government itself that part of my information to him which related to France. I said that, on the contrary, as the British government had in the course of our discussions with them frequently intimated the belief that the American government was partial to France, and even actuated by French influence, I supposed that the knowledge of this frank and explicit statement, with a due consideration of the time and occasion upon which it was made, must have a tendency to remove the prejudice of the British cabinet, and I would hope produce on their part a disposition more inclining to conciliation.

Yesterday the Count sent a note requesting me to call upon him again, which I accordingly did. He showed me the draught of a dispatch to the Count Lieven, the Russian ambassador in England, which he had prepared to lay before the Emperor for his approbation, and which related the substance of my conversation with him, particularly in regard to the intentions of the American government with reference to France; instructing Count Lieven to make it known to Lord Castlereagh, and to use it for the purpose of convincing the British government of the error in suspecting that of the United States of any subserviency to France, in the expectation that it would promote in the British ministry the disposition to peace with the United States, which he (Count Lieven) knew His Imperial Majesty had much at heart, believing it equally for the interest of both powers and also for that of his own empire. The chancellor said that as this dispatch would refer to what I had verbally stated to him in our preceding conversation, he wished before submitting to the Emperor, that I should peruse it to satisfy himself that he had connectedly represented the purport of my communication to him, and he desired me, if I should find any inaccuracy or variation from what I had said to him, to point it out to him, that he might make the despath perfectly correspond with what I had said. I did accordingly notice several particulars in which the exact purport of what I had said might be expressed with more precision. He immediately struck out the passages which I noticed in this manner from the draught, and altered them to an exact conformity with the ideas I had intended to convey. The changes were inconsiderable, and were no otherwise material than as I was desirous of the utmost accuracy in the relation of what I had said under the authority of your despath.

This communication of the *settled* determination of the American government not to contract any more intimate engagements with France, will thus be made to the British ministry with my full consent. The chancellor's despatch does not say that he was authorised by me to make it. It merely relates the substance of that part of my conversation with him, and directs Count Lieven to use it with a view to promote the purpose of pacification.—The chancellor understands that my consent was merely my own act, without authority from you; my motive in giving it was the same with that of his instruction to Count Lieven, because I believed its tendency would be to promote the spirit of pacification in the British cabinet. I told the chancellor I was aware that its effect *might* be different. That the very certainty that we should not seek or even accept a community of cause with their most dreaded enemy might make them more indifferent to a peace with us. But, in calculating the operation of a generous purpose, even upon the mind of an inveterate enemy, I feel an irresistible impulse to the conclusion that it will be generous like itself. I asked the Chancellor whether he had received an answer from England upon the proposal of the Emperor's mediation. He said that, without accepting or rejecting it, they had intimated the belief that it would not be acceptable in America.

I am, &c,

(Signed) JOHN Q. ADAMS.

*Extract of a letter from Mr. Adams to the Secretary of State, dated St. Petersburg, 26th June*, 1813.

"On the 15th inst. I had an interview with the Chancellor Count Romanzoff, at his request, when he informed me that he had received answers from Mr. Daschkoff to the despatches of which Mr. Harris was the bearer. That the President had accepted the Emperor's offer of mediation, and that Mr. Daschkoff had sent him a copy of your answer to him, expressive of that acceptance. He then put into my hands your letter to Mr. Daschkoff of March 11, with the respect of which he appeared to be much gratified; and which he said he should immediately transmit to the Emperor. At the same time English newspapers had been received here, mentioning the appointment of Messrs. Gallatin and Bayard, but intimating strongly the determination of the British government to reject the mediation. A few days after, I received from a friend the National Intelligencer of 15th April, containing an editorial paragraph concerning the appointment of those gentlemen, which I communicated to the count on the 22d. I observed to him, that however the British government might think proper to act on this occasion, that of the United States would at least have manifested, in a signal manner, at once its earnest and constant desire for a just and honorable peace, and its sense of the motives which had induced the Emperor's offer. That the President could not have adopted a measure better adapted to do honor to his Majesty's proposal, than by the appointment of two persons among the most distinguished of our citizens, to co-operate on the part of the United States, in accomplishing the Emperor's friendly and benevolent purpose; and that if it should eventually fail of being successful, at least the true and only source of its failure would be known. That he had received, since he saw me last, dispatches from Count Lieven. That the British minister, in terms of much politeness, had intimated to him, that there was no sovereign whose mediation they should more readily accept than that of the Emperor, but that their differences with the U. States were of a nature *involving principles of the internal government of the British nation*, and which it was thought were not susceptible of being committed to the discussion of any mediation. The count added, that it would remain to be considered, whether after this, and after the solemn step taken by the government of the U. States, it would be advisable to renew the offer to the British ministry, and give them an opportunity for a consideration. It was possible that further reflection might lead to a different resolution, and he should submit the question to the Emperor's determination. Different circumstances furnished other materials for deliberations."

*Wednesday, Jan.* 19.—Mr. Clay, in an appropriate address, resigned his station as speaker of the house [being appointed a commissioner to proceed to Gottenburg]—and a resolution passed thanking him for the ability with which he had presided—for the resolution, ayes 144, nayes 9. The house then proceeded to choose a speaker, the votes were, for Mr. Cheves 94; for Mr. Grundy 59—scattering 12. Mr. Cheves was accordingly declared duly elected and introduced to the chair; when he thanked the members for the honor conferred upon him, &c.

IN SENATE.

The senate has passed to a third reading a bill for the relief of the inhabitants of Nantucket [on account of the direct tax] as follows:

YEAS—Messrs. Anderson, Brent, Brown, Campbell, Chace, Condit, German, Howell, Lacock, Leib, Morrow, Robinson, Smith, Tait, Taylor, Turner, Varnum, Worthington—

NAYS—Messrs. Bibb, of Geo. Dagget, Fromentin, Goldsborough, Gore, Hunter, King, Lambert, Mason, Wells.

On Monday last the bill from the house of representatives to increase the bounty to recruits was referred to the committee on military affairs.

# Events of the War.

## MISCELLANEOUS.

TRAITORS—*actual and moral.*—It is truly distressing to observe the prevalence of treasonable practices in the United States. We have, perhaps, more persons in this country so "*well-inclined*" to the enemy that they think it no harm to "aid and comfort" him, in defiance of universal law, than all the world possesses. This dereliction of patriotism has its origin in that warmth of feeling that too many of us have felt for every thing that is *English*; in that deep rooted *British influence* that pervades every section of the union—that found its way into all classes of society, and penetrated into the most secret recesses of the heart though mediums so subtle, and so multitudinous, that it was almost impossible for the most prudent to defend himself against it. In addition to these potent causes for disaffection and treason, men high in authority, assert, and "holy men give scripture" to prove, that *England* is the "*bulwark*" of *religion*, of *liberty* and *law*, and so strengthen and support our predilection in favor of an enemy, richly deserving to be called *barbarian*, for his murders and cruelties. *Blue lights* are still exhibited at *New London*—a traitorous intercourse is kept up with the shore—the prisoners confined in *Worcester* jail have escaped, no doubt by assistance from without—and *five* was communicated to certain articles preparing for the United States' vessels at

*Portsmouth.* But we shall manage these things better anon.*

SUGARS that sold in Boston, a few weeks since for $30 per *cwt.* have been disposed of at 16 to 17 dols.

NEUTRALS.—Eight sail of *Swedish* [American owners] schooners were fallen in with on the 20th Dec. from *New Haven* for *Bermuda*, laden with live stock and provisions!—But congress has "destroyed" *this* "commerce."

THE BRAMBLE sailed from *Annapolis* about 10 days ago, having received the answer to her despatches.

COM. PERRY.—A very splendid entertainment was given to this distinguished officer, in *Tammany Hall*, New York, on the 11th inst. We may insert a detailed account of it hereafter. The toast of the hero of *Erie* was "THE UNION OF THE STATES;" to which some attach a *peculiar* significance at this time.

THE BATTLE OF ERIE.—The London papers, thus announce *Perry's* victory—*'Tis pitiful!—'tis wondrous pitiful.—London, Nov.* 10.—The mail from Halifax states that our flotilla on lake Erie has been completely defeated by the American commodore PERRY.—It may, however, serve to diminish our vexation at the occurrence, to learn that the flotilla in question *was not any branch of the royal navy*; but was solely manned, equipped and managed by the public exertions of *certain Canadians*, who had formed themselves in a kind of *lake fencibles*. It was not the *royal navy*; but a local force; a kind of *mercantile military*.

FLAG OF TRUCE.—The sloop Perry arrived at Boston, bearing a flag, on the 14th, with despatches for col. *Barclay*, the British commissary. She had also several passengers, among them lieut. BUDD, late of the *Chesapeake*.

THE NIAGARA FRONTIER.—We have a variety of particulars yet to record that belong to the history of the late devastation of the Niagara frontier, which shall be duly noticed as soon as the facts are clearly substantiated. The sufferings of the people were horrible—many *women* were murdered, and all the slain appear to have been scalped by the allied forces. There was a smart skirmish at *Buffalo*.—The enemy appears to have re-crossed into *Canada*, except a strong detachment that holds fort *Niagara*.

THE NORTHERN FRONTIER.—*Wilkinson's* army remains as before. An attack upon *Plattsburg* was apprehended, and troops were detached for its defence. Col. *Purdy* commands there.

THE HEROES OF THE LAKES.—On Tuesday last com. *Chauncey*, on his way from Washington city to Sackett's Harbor; and com. *Perry*, on his way to the seat of government, passed through *Baltimore*.

THE NEGOCIATION.—The papers teem with the opinions of individuals as to the probable result of the negociation to be opened at *Gottenburg*. We would hope the best; but if any suppose peace will be made by a relinquishment of our claims for justice, *they will be disappointed*. The government will make *any* arrangement, on *reciprocal* principles, that shall secure to our citizens safety from *manstealing* and *piracy*—they have no care as to the *forms* by which these things may be guaranteed—but they must and will be guaranteed by the treaty to be ratified by Mr. *Madison*. Nor will any changes in *Europe* alter the purposes of the president of the *United States*; we went to war for ourselves and will look only to ourselves—we have no concern about the "balance of power," and will not dabble in the politics of emperors and kings. But, if *Great Britain* is sincerely desirous of peace, we apprehend some plan may be fallen on to satisfy and secure the just claims of the parties. It was the decided opinion of Mr. *Bayard*, before he went to *Russia*, that with the candid and liberal instructions given to him and Mr. *Gallatin*, a peace would be made, if they were met by the *British* at *St. Petersburg* with a disposition to bring about an adjustment of differences on honorable terms. What effect the late *British* victories in *Germany* may have upon their cabinet, is yet to be seen. OUR COURSE IS NOT CHANGED. We seek peace either by the "*olive*," or the "*arrows*."

*From the National Intelligencer.*

*John Quincy Adams*, (our minister in Russia) *Jas. A. Bayard*, (now at St. Petersburg) *Henry Clay* of Kentucky, and *Jonathan Russell* of Rhode Island, have been appointed by the President, by and with the advice and consent of the senate, commissioners to proceed to Gottenburg, to meet the commissioners from Great Britain, under her overture recently accepted by this government.

*Jonathan Russell* has also, in like manner, been appointed envoy extraordinary and minister plenipotentiary to the court of Sweden.

*British official accounts of the recapture of Fort George, and capture of Fort Niagara.—From the Montreal Courant, of December* 31, 1813.

*Head Quarters, Quebec, Dec.* 27, 1813.

GENERAL ORDERS.—The commander of the forces has received a despatch from lieut. gen. *Drummond*, containing a supplementary report from col. *Murray*, dated at Fort George, 13th December, correcting his statement of the preceding day, respecting the enemy having passed over his cannon, stores, &c. having since discovered in the ditch of the fortification one long 18 pounder, four 12's and several 9 pounders, together with a large supply of shot. Some of the temporary magazines, with a proportion of fixed ammunition, have been saved, and camp equippage for 1500 men has fallen into our possession.

The new barracks erected in the vicinity of Fort George and Chippewa, have, from the precipitancy of the enemy's flight, escaped being burnt.

(Signed) EDW. BAYNES, Adj. Gen. N. A.

*H. Q. Upper Canada, Dec.* 19, 1813.

Lieut. gen. *Drummond* congratulates the troops under his command upon the brilliant success which has crowned the attack made this morning on Fort Niagara. It was assaulted an hour before day-light, and after a short but severe contest, it was carried, with a very slight loss on our part; that of the enemy was 65 killed and 15 wounded—*all by the bayonet*; the remainder of the garrison, to the number of about 350 regular troops and artillery, were made prisoners; 27 pieces of ordnance were found in the fort. Our loss does not exceed 5 killed and 3 wounded. Lieutenant *Nowlen*, of the 100th regiment, a very promising young officer, is the only officer killed. The lieutenant-general has to regret that a severe wound which col. *Murray* has received, is likely to deprive the army of the service of that gallant officer for some time. The troops employed on this occasion were the 100th regiment, the grenadier company of the Royals, and the flank companies of the 41st regiment. Their instructions were not to fire, but to carry the place at the point of the bayonet.—These orders were punctually obeyed; a circumstance that not only proves their intrepidity, but reflects great credit on their discipline. Col. *Murray* expresses his admiration of the valor and good conduct of the whole of the troops, particularly of the 100th regiment, which led the attack. He also

* Some interesting particulars regarding the confinement and treatment of these officers, held in retaliation, are omitted for want of room——Five of the nine that escaped have been caught.

bestows his particular thanks on lieutenant colonel *Hamilton*, &c. [*Here follow the names of several regular and militia officers who distinguished themselves.*] Of the brilliant service of lieutenant *Dawson* of the 100th, who led the forlorn hope, and captain *Fawcett* of the 100th grenadiers, in entirely cutting off two of the enemy's picquets and surprising the sentries on the glacis and at the gate, by which means the watch-word was obtained, and the entrance into the fort greatly facilitated, the colonel speaks in terms of the highest and most deserved praise

Lieutenant-general *Drummond* will perform a most grateful duty in bringing under the notice of his royal highness the prince regent, through his excellency the commander of the forces, the admirable execution of this brilliant achievment on the part of every individual concerned. The useful services of the militia volunteers in launching the boats and rowing the troops across the river, were not unnoticed by the lieutenant-general.

The lieutenant-general has received from major-general *Riall* a very favorable report of the zeal and alacrity of the detachment of the royal Scots, under lieut. col. *Gordon*, and the 41st battalion companies under major *Friend*, who advanced under the major-general's command to dislodge the enemy from the heights of Lewistown—Their steadiness and regularity under circumstances of great temptation, were highly creditable to them. Nothing could more strongly indicate their anxious wish to meet the enemy, and the lieutenant-general has only to regret that his rapid retreat from Lewistown heights, did not afford to major-general *Riall* an opportunity of leading them to victory.

Lieut. gen. *Drummond* begs that Major-generals *Riall* and *Vincent* will accept his acknowledgement for the assistance he has received from them in making arrangements for the late operations.

Lieut. col. *Hamilton*, 100th regt. is appointed to command fort Niagara, and the lieutenant-general will recommend that the same command money be annexed to it as was granted at fort George.

A board of survey, composed of lieut. col. *Hamilton*, commandant, president, major *Holcroft*, commanding royal artillery, and a captain of the 100th regiment, members, will assemble as soon as possible in fort Niagara for the purpose of taken an exact account and inventory of the immense quantity of ordnance, stores, arms, provisions, clothing, &c. captured in that place.

J. HARVEY, *Lieut. Col. D. A. G.*

*Extract of a letter from an officer at Halifax, to his friends in Philadelphia.*

On board the prison ship Malabar,
Halifax Harbor, Dec. 18, 1813.

"In my last letter I wrote you that I had great expectations of getting home soon. But I am now sorry to say that every hope of that kind has vanished; for since writing the last, we have all been put in close confinement.

"Nine of us are put into a hole, six feet long and five wide, and I fear it will be still worse if possible. But as long as I keep my health, (let what will happen) my enemies shall never have it in their power, to say a murmur escaped me. As I have a clear conscience, and feel innocent of every thing but that of which I shall ever feel proud, defending an injured country.

WILLIAM SHEED,
Sailing master, U. S. navy.

NEW LONDON, Jan. 12.

*More blue lights.*—On Sunday night, at about 10 o'clock, *blue lights were again exhibited on both sides of the river, and were answered by all the British ships.* At this time a sloop was passing fort Trumbull. The lights were distinctly seen by a number of military and naval officers.

*Quebec, Dec.* 23, 1813.

On Monday last the remaining American officers on parole at Beaufort, were brought to town and put into close confinement, agreeably to the general orders of the 18th instant. We understand that some indulgence is to be extended to generals Winchester, Chandler and Winder.

*Extract of a letter from an officer at French Mills, to his friend in Washington.*

"The 49th British regiment had upwards of 200 men killed and wounded on the 11th ult. and are now in Montreal, reduced the last year, from 1100, to 300. They buried 187 men after the late affair.—The number of their wounded is concealed."

NAVAL.

Two Baltimore vessels arrived at NORFOLK last week, laden with sugar. One from New-Orleans, the other from Cuba.

The ship Felicity from Cadiz for Boston, was burnt by the British frigate Endymion, "though she had a license."

The Shannon, *sir* Philip Broke has arrived in England.

It is stated that the British on our coast already begin to feel the effects of the embargo in a deficiency of the delicacies they have been indulged in. In proportion as that measure presses on the enemy will it be murmured against by their "friends."

## POSTCRIPT.

The employment of all hands in setting up the important documents that appear among the proceedings of congress (received at a late hour, compared with our general arrangements) has compelled the editor to omit several articles designed for insertion in this number: among them a digest of the late accounts from *Europe*. We merely say at present, that the power and valor of the allies—the defection and desertion of the *German* princes, at his utmost need—with several untoward accidents, have compelled *Bonaparte* to cross the *Rhine*, with the remnant of his army. He arrived at *Paris* early in November and convoked the senate, and called out 400,000 men. There had been several dreadful battles; and the great thing to be wondered at is, that this chieftain saved any thing, amidst such a complication of difficulties.

"TURREAU'S LETTER."—A message was received from the president by the house of representatives on Thursday, enclosing a letter from the secretary of state; saying that no such paper remains on the files of his office; also a letter from Mr. *Graham* chief clerk in that department, who states his recollection of having translated a letter from gen. *Turreau* to Mr. *Smith*, that was withdrawn; and supposes the one recently published may have been that letter. He knows not how the translation was obtained. A circumstance he mentions corroborates the belief that *Turreau* was compelled to withdraw that letter.

ERRATA.

In the interesting "addenda" that accompanied the last number of the *Register*, we regret to observe the following errors escaped, through hurry:

| | | | |
|---|---|---|---|
| p. 1, | 1st col- | l. 15. | for "investing" read *vesting*. |
| | | 18, | "three used" r. *those* used. |
| | | 32, | "the exclusive" r. *these*, &c. |
| | | 37, | "elevation" r. *situation*. |
| 2 | do. | 14, | "Miland" r. *Mildred*. |
| | 2nd col. | 14, | "the" r. *a*. |

In a part of the impression the initial of Mr. *Jefferson's* sirname does not appear.

# THE WEEKLY REGISTER.

No. 22 of vol. V.] BALTIMORE, SATURDAY, January 29, 1814. [whole no. 126

*Hæc olim meminisse juvabit.*—Virgil.

Printed and published by H. Niles, South-st. next door to the Merchants' Coffee House, at $ 5 *per annum.*


## The Embargo Law.

(CIRCULAR.)

Treasury department, *Dec. 24th*, 1813.

*Sir*—The provisions of the act of the 17th December, 1813, "laying an embargo on all ships or vessels in the ports and harbors of the United States," of which a copy is enclosed, so far as they apply to ships and vessels, and to exportations that may be attempted by their means, relate to such as are of the following descriptions:

1. *Public armed vessels*, possessing commissions from any foreign power, which are not affected by the act.

2. *Private armed vessels*, duly commissioned by any *foreign power in amity with the United States*, and also *private armed vessels of the United States*, duly commissioned under the act of June 26th, 1812.—These are to be permitted to depart, having on board only the proper and necessary stores, provisions, armament, furniture and equipment for their cruize; but they are not to take on board any merchandise or cargo of any description, for the purpose of trade or traffic either with the enemy, or with a neutral, or for exportation; and the collectors of the customs are authorised and enjoined carefully to examine, search and effectually ascertain that there is no such merchandise or cargo on board, and if any such be found to seize it and cause it to be landed and proceeded against by the district attorney, as forfeited to the United States.

3. *Foreign merchant vessels.* These may proceed on their voyages with the cargoes they have on board other than provisions, military and naval stores at the time they are notified of the act: but they must sail with their officers and crews composed wholly of foreigners, belonging to nations who were in amity with the United States at the time of their arrival: and they must carry from the United States, no American citizen who shall not produce a passport permitting him to depart, furnished under the authority of the president of the United States. All foreign vessels, therefore, which have on board, at the time when they are notified of the act, (and the collectors are hereby directed to notify them as soon as the act is received) any provisions, military or naval stores, are immediately to reland the same. If they shall have any other cargoes or merchandise on board, they may proceed to sea with them or in ballast; and for effecting the prohibition imposed upon such vessels, against carrying out of the United States any American citizen, the collector is to cause every such vessel immediately before and at the time of her departure to be carefully searched and examined.—The officers and crew are to be mustered in his presence, or in the presence of an inspector, assigned to attend to that service, and compared with a list to be made out and delivered to him by the master of the vessel for this purpose. The inspector is to remain on board after the vessel is under way, to see that no American citizen comes or is taken on board, and, unless there be danger of falling into the hands of the enemy, is to leave the vessel only when the pilot leaves it. The clearance or permit for the departure of the vessel, is to be placed by the collector in the hands of the inspector, and is to be delivered by him to the master of the vessel only when he quits the same; and not to be delivered to him at all, but is to be brought back by the inspector in the pilot boat, if any American citizen shall come or be taken on board from a boat or in any other manner after the vessel has got under way. Foreign merchant vessels after being notified of the act, are to take on board no cargo of any description whatever, nor any specie; and the collectors are required to use all the means in their power for detecting any attempt to evade this prohibition, and particularly the attempt to carry away provisions or specie; the last of which, from its small bulk, is most liable to concealment and clandestine exportation. In those ports and places where there are banks, it is recommended to the collectors to have an understanding with the officers of those institutions, whose interest is principally concerned that the specie should not be drained from the country, and who, it is presumed will readily act in concert with the collectors upon this subject. Through them, and in every other way in their power, they will endeavor to obtain information of those persons who may have drawn out or collected specie with the probable intent of sending it abroad, that such collections of specie in private hands may be watched, and that if it should be found under the circumstances described in the tenth section of the act, it may be taken into custody, in the manner there pointed out. Foreign merchant vessels arriving in the United States after the promulgation of the act, can in no event depart in any other way than in ballast, and with their necessary sea-stores; as to the sufficiency of which, the collector is in every instance to judge, and to take care that under this pretext, unreasonable quantities of provisions and necessaries be not taken out of the United States.

4. *American vessels* of every description, (excepting private armed vessels duly commissioned under the act of June 26th, 1812,) which shall be in port at the time when notice of the act is received at the custom-house, if they shall have any cargo or lading on board, whether intended for exportation or for transportation coastwise, are either to discharge the same, or to give a bond with two or more sufficient sureties, in double the value of the vessel and cargo, not to proceed on the intended voyage or trip, until permitted to do so, agreeably to the provisions of the act. The bond to be thus taken will be of the form annexed marked A. If the cargo is not discharged or the bond given, the collector will take possession of the vessel and cargo, as directed by the 3d section of the act. No vessel or boat whatever (excepting such as shall have received permission under the authority of the president of the U. States, as pointed out in the 4th section of the act) can take on board any cargo. This prohibition extends as well to coasting and fishing vessels and boats, as to registered and sea-letter vessels. Vessels licensed for the coasting trade or fisheries cannot depart from any port of the United States without a clearance or permit, and no clearance or permit is to be granted to any vessels, excepting to such as may be designated to the collectors, under the direction of the president of the United States, pursuant to the first and fourth sections of the act.—

Under the fourth section of the act, the president authorises the collectors, and they are hereby empowered to grant permissions to vessels or boats, whose employment has uniformly been confined to the navigation of bays, sounds, rivers or lakes within the jurisdiction of the United States, or the territories thereof, in those cases where, in their opinion, there is no danger of the embargo being violated. The extent of this permission, in relation to each vessel or boat to which it is granted, nor as it respects the articles permitted to be transported, and the limits within which such transportation is to be confined, is to be specified in the instrument of permission to be delivered by the collector to every such vessel or boat, and which will be of the form annexed marked B. It is to be granted in no case in which the vessel, in performing the permitted voyage or navigation, will even for a short space, leave what is properly called a bay, river or sound, and be compelled to be *at sea;* and no permission is to be granted to a vessel or boat in any case, for the transportation of provisions, naval or military stores to or in any part of a bay, river or sound, occupied by the fleets or ships of the enemy, or in which there is reason to apprehend danger of falling into their hands. Previously to granting this permission in every case, a bond must be given by the owner, owners, consignee, or factor of the vessel or boat, with one or more sufficient sureties, in an amount equal to three hundred dollars for each ton of the vessel or boat, as specified in the fourth section of the act. This bond will be of the form annexed marked Bb. A monthly return of all the permissions granted under this authority, thus committed by the president to the collectors, is to be transmitted to the secretary of the treasury, of the form marked B a. Manifests of the cargoes taken on board these vessels each voyage or trip, must be delivered by the masters to the collector or surveyor—and certificates of the landing of the cargoes, are to be delivered to the masters on every voyage or trip, if they shall require it, and may be of the form annexed marked C. As many cargoes may both be taken in and landed at places where there is no officer now stationed for receiving the manifests or granting the certificates of landing, it may be necessary, and the collectors are hereby authorised to appoint temporary inspectors at proper places for the sole purpose of receiving manifests of cargoes, and granting clearances and certificates of landing. Duplicates of all these papers should be sent by them to the collector. It may not be necessary in every instance, that the inspectors should actually be present when the cargo is landed, they may in such cases as shall be directed by the collectors, take as evidence of the fact the certificate of any respectable citizen not interested in the matter. And there may also be situations where such evidence may be received by the collector or surveyor without the intervention of an inspector. The compensation of the temporary inspectors appointed for these purposes must consist wholly of the fees to which they will be entitled.

On the sale or transfer of any ship or vessel, or in any case in which a new register or license is to be granted, or when, on the sale of any vessel not entitled to a register or license, it shall become necessary, by any custom-house document, or in any official transaction at the custom-house, to recognize such sale, it is made necessary by the sixth section of the act, that a bond with one or more sureties shall be taken, in an amount equal to three hundred dollars for each ton of the ship or vessel, that such ship or vessel shall not, during the continuance of the act, contravene or infringe any of its provisions. The form of this bond, to be executed by the former owner, is given under the letter D.

As clearances of American vessels are expressly prohibited by the first section of the act, unless to cases under the special direction of the president of the United States, which prohibition is repeated in the eighth section, the bonds required in the seventh section from vessels licensed for the fisheries, or those bound on a whaling voyage, are not to be taken; and vessels of those descriptions are not to be cleared without further provisions and instructions on that subject.

By the tenth section of the act, the collectors are invested with the power to take into custody any of the articles there enumerated, whether on board of any ship or vessel, or in any vehicle used for transportation by land, or, under other circumstances which afford reason to believe that they are intended to be exported, and to hold them until bond with sufficient sureties shall be given for the landing or delivery of the articles in some place of the United States, whence, in the opinion of the collector, there shall not be any danger of their being exported.—The eleventh section of the act, in prescribing the mode in which the defence of a collector is to be conducted, if he shall be called upon by any individual to answer, judicially, for his acts done under this law, is intended to shield him from vexatious and unjust prosecutions. But he is not to proceed under the tenth section of the act, to take the articles therein mentioned into his custody, unless there be circumstances, other than mere suspicion, to induce a belief that a violation of the law is intended. Such may be the information of persons employed to assist in, or entrusted with the knowledge of the designs of the parties; former violations by them, of this law, or of other restrictive laws, or of the revenue laws of the United States; an unusual accumulation of articles suitable for exportation in suspicious places; shipments to islands, out-harbors or places open to the sea, beyond the wants or necessities of those places, &c. A sound direction must be exercised by the collectors; and is confidently trusted, that in no instance will personal feelings or any other improper motive, produce a procedure that will give any just cause for complaint. With such a mode of executing the law, it is hoped that no occasion will arise for resorting to the means placed, by the twelfth section of the act, at the disposition of the president, for carrying its provisions into effect, or repressing attempts forcibly to oppose it.—But if such dispositions shall at any time be manifested, and such steps taken in opposition to the law as can only be prevented or repressed by the use of force, the collectors, by direction of the president of the United States, are hereby empowered to call to their aid, any of the naval or military forces of the United States, or militia in the service of the United States, that may be within such convenient distance as to afford them the requisite assistance.

By order of the president of the United States.

W. JONES,
Acting sec'ry of the treasury.

*The collector of the customs*
*for the district of* ———

## In honor of the brave.

Resolutions expressive of the sense of congress of the gallant conduct of captain Oliver H. Perry, the officers, seamen, marines and infantry acting as such on board of his squadron.

*Resolved by the senate and house of representatives of the United States of America in congress assembled,* That the thanks of congress be, and the same are hereby presented to captain Oliver Hazard Perry

and through him to the officers, petty officers, seamen, marines and infantry serving as such, attached to the squadron under his command, for the decisive and glorious victory gained on lake Erie on the tenth of September, in the year one thousand eight hundred and thirteen, over a British squadron of superior force.

*Resolved*, That the president of the United States be requested to cause gold medals to be struck, emblematical of the action between the two squadrons, and to present them to captain Perry and captain Jesse D. Elliot, in such manner as will be most honorable to them; and that the president be further requested to present a silver medal with suitable emblems and devices to each of the commissioned officers either of the navy or army serving on board, and a sword to each of the midshipmen and sailing-masters who so nobly distinguished themselves on that memorable day.

*Resolved*, That the president of the United States be requested to present a silver medal with like emblems and devices to the nearest male relative of lieutenant John Brooks of the marines, and a sword to the nearest male relative of midshipmen Henry Laub, and Thomas Claxton, junior, and to communicate to them the deep regret which congress feel for the loss of those gallant men, whose names ought to live in the recollection and affection of a grateful country, and whose conduct ought to be regarded as an example to future generations.

*Resolved*, That three months pay be allowed, exclusively of the common allowance, to all the petty officers, seamen, marines and infantry serving as such, who so glorious supported the honor of the American flag under the orders of their gallant commander on that signal occasion.

H. CLAY,
Speaker of the house of representatives.
J. B. VARNUM,
President of the senate pro tempore.

*Approved, January* 6, 1814,

JAMES MADISON.

Resolution relative to the brilliant achievment of lieutenants Burrows and M'Call.

*Resolved by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be requested to present to the nearest male relative of lieutenant William Burrows, and to lieutenant Edward R. M'Call of the brig Enterprize, a gold medal with suitable emblems and devices, and a silver medal with like emblems and devices, to each of the commissioned officers of the aforesaid vessel, in testimony of the high sense entertained by congress of the gallantry and good conduct of the officers and crew in the conflict with the British sloop Boxer, on the fourth of September in the year one thousand eight hundred and thirteen. And the president is also requested to communicate to the nearest male relative of lieutenant Burrows the deep regret which congress feel for the loss of that valuable officer, who died in the arms of victory, nobly contending for his country's rights and fame.

H. CLAY,
Speaker of the house of representatives.
J. B. VARNUM,
President of the senate pro-tempore.

*January* 6, 1814—*Approved*,

JAMES MADISON.

Resolution relative to the brilliant achievments of captain James Lawrence, in the capture of the British vessel of war the Peacock.

*Resolved by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be requested to present to the nearest male relative of captain James Lawrence, a gold medal, and a silver medal to each of the commissioned officers who served under him in the sloop of war Hornet, in her conflict with the British vessel of war the Peacock, in testimony of the high sense entertained by congress of the gallantry and good conduct of the officers and crew in the capture of that vessel; and the president is also requested to communicate to the nearest relative of captain Lawrence the sense which congress entertains of the loss the naval service of the United States has since sustained in the death of that distinguished officer.

H. CLAY,
Speaker of the house of representatives.
J. B. VARNUM,
President of the senate pro-empore.

*January* 11*th*, 1814—*Approved*,

JAMES MADISON.

## Turreau's Letter.

The president of the United States on Thursday last transmitted to the house of representatives the following message:

*To the House of Representatives of the United States.*

I transmit to the house of representatives a report of the secretary of state, complying with their resolution of the 12th inst. JAMES MADISON.

January 19, 1814.

The secretary of state to whom was referred a resolution of the house of representatives of the 12th inst. requesting the president to lay before the house any correspondence with or communication in writing from the late minister of France, on or about the 14th June, 1809, or by his successor since, prescribing the conditions on which their sovereign would consent to treat of amity and commerce with the United States &c. has the honor to make to the president the following report:

That of the transactions which took place in the department of state, before the secretary of state came into office, which was in the year 1811, he has no means of acquiring a knowledge other than from the archives of the department, or from the persons entrusted with their safe keeping.

That he has caused the files of the department to be carefully examined for a communication described by the resolution of the house of representatives, and that none such has been found of the date therein referred to or of any other date from the former minister of France, or from his successor, or any trace or evidence of such a communication; that he has also enquired of the chief clerk of the department who has been in that office since the year 1807 concerning the same, and whose statement is annexed.

That no such communication was ever addressed to the secretary of state by the present minister of France.

All which is respectfully submitted.

JAMES MONROE.

Department of state, Jan. 18, 1814.

### MR. GRAHAM'S STATEMENT.

I know not how I can more clearly state every thing that I know relative to a letter which was recently published in some of the public prints, from general Turreau to Robert Smith, esq. and which I suppose to be the communication alluded to in the resolution of the house of representatives of the 12th inst. than by observing that when that letter as published was shewn to me by a gentleman of this office, I told him I could not say whether it was genuine; that some parts did not appear new to me, but that other parts of it did. We immediately looked at general Turreau's file, and no such letter was there. I then observed that if it was genuine, it must be

the letter from gen. Turreau which had been withdrawn.

The fact of one of his letters which I had translated for Mr. Smith, having been withdrawn, I distinctly remember, though I cannot speak with certainty either of its date or of its contents, more than four years having elapsed since I saw it; but I remember it was considered exceptionable, and that Mr. Smith directed me not to put it on the files, but to lay it aside. I can add too that it was the only letter from general Turreau which to my knowledge was ever withdrawn.

This letter was withdrawn by a gentleman attached to the French legation, who called at the department of state to get it, and it was delivered to him either by Mr. Smith himself or by me under his directions. When this was done, I cannot now recollect nor have I any means of ascertaining, except by reference to a subsequent event which happened in the month of November 1809. I allude to the dismissal of Mr. Jackson. For I remember in a conversation I had with Mr. Smith respecting that occurrence at the time it took place, he observed that he supposed gen. Turreau would now be glad he had withdrawn his letter.

In what way the translation of this letter has got into the public prints, I know not, nor do I know where or by whom it was taken from this office.

JOHN GRAHAM.

*Chief clerk of the department of state.*

Department of state, 18th Jan. 1814.

## Legislature of North-Carolina.

IN THE SENATE DECEMBER 16.

Mr. Branch, from the committee appointed on the subject, made the following report:

"The committee appointed to enquire into the political conduct of David Stone, esq. a senator from this state in the congress of the United States, respectfully report:

"That it was to have been expected that every man who valued the honor or the safety of his country, would not have withheld that aid which was indispensable to the preservation of both: much less was it to be anticipated that one who to the duties of a citizen had superadded the strongest professions of his approbation of the measures of the general government in entering into the war, who implicitly if not expressly avowed himself among the foremost of its supporters, would have adopted a course of conduct directly opposite to that expected by his constituents, and hostile to the honor and the interest of his country.

"This has been done by the honorable David Stone. The sentiments of the people of this state and of the legislature at its last session, were unequivocally in favor of a prosecution of the war in which the United States was engaged with Great Britain. Their opinions were known to Mr. Stone, and those professed by him were in unison with them. Under these impressions he was chosen a senator. No circumstance has since occurred to alter the opinions of the people of this state, or of that body by which he was chosen. No circumstance could occur which would authorise a change of these opinions, so long as we value our national character, and desire that the peace which we so ardently wish for may be obtained without disgrace. Yet we find, that for reasons which he has thought proper to withhold from the people of this state, the conduct of Mr. Stone has been directly in opposition to his professions: and we are forced to believe that he avowed principles which he did not possess or that he has without cause changed the course of his political conduct; whereby he has as far as his voice or his example could extend, jeopardised the safety and the interest of his country.

"Justice demands that those who are fighting our battles, should receive the support, confiding in which, they enlisted under our banners. Honor forbids the adoption of any measure by which our national character may be tarnished; and policy dictates a vigorous prosecution of the war by which we may obtain an early and an honorable termination of it.

"*Resolved, therefore*, That the said David Stone hath disappointed the reasonable expectations, and incurred the disapprobation of this general assembly."

The report being read, Mr. Murphy moved that it be recommitted for amendment. Motion negatived, 43 to 17. He then moved an indefinite postponement, which was also negatived, 41 to 19. The question on agreeing to the report was then put, and carried, 40 to 18.

The negatives were, Messrs. Bender, Bodinhamer, Caldwell, Fuller, Foy, J. Hinton, Johnson, McKinne, Murphey, Parker, R. Smith, Speight, Slade, Stewart, J. Smith, J. Wright, J. Williams, R. Williams.

## The President's reply

*To the senate and house of commons of the general assembly of the state of North Carolina.*

[SEE PAGE 270.]

I have received, fellow-citizens, your memorial of the 29th ult. representing the exposure of your state to danger on its sea-board, and requesting to be informed whether measures will be immediately taken by the national government for its protection.

The anxiety which you manifest for the security of the state under your particular care, cannot but be commended, and it would be highly agreeable to make a communication that would remove all occasion for it.

The legislature of North Carolina is too enlightened and too just not to be sensible that the protection to be extended by the general government over the union, must be proportioned to the aggregate means applicable thereto; and that, in distributing these, regard must be had to the comparative practicability and probability of attempts on particular states and places. Against occasional attempts, where there are so many points accessible by water, from an enemy having on that element a force so extensive and so readily concentrated, an absolute protection of every one is not possible. Considering the states as parts of the whole, the best defence of the whole must be kept in view, by the authority to which that is entrusted; and it fortunately happens that the security and interests of particular parts will often be comprehended in the effect produced by means more immediately applied to the protection of other parts.

These observations are not intended to preclude a due consideration of the particular case, stated in your memorial. They appeal only to the candor with which you will be sure to review the measures of the executive in relation to the general and particular defence of our country, and to the confidence claimed by the impartiality which has directed them.

With a view to the more convenient superintendence and protection of every part of the U. States, they have been partitioned into military districts. The officer allotted to that which includes the state of North Carolina, will be instructed, as soon as practicable, to visit and examine the situation of the

exposed parts of the state, with a view to improvements which may properly be made in works of defence. He was about to make such a visit when he was lately called away to a more urgent, but temporary service. In the mean time, a colonel of engineers had been sent to examine the ports, and to make report on the subject of them.

The secretary of the navy has not been inattentive to the means of defence pending on his department, which were thought best adapted to the waters of North Carolina; and to the gun boats already allotted, the equipment of which has not been intermitted, a like number of armed boats of another modification will be added as soon as they can be made ready for service.

In making this communication, it will of course not be understood as superceding any auxiliary provisions which the state of North Carolina may think proper to make on its own account, as has been done by some other states, in order to a more complete and particular security than it may be in the power of the general government to extend to every exposed situation throughout the United States.

Be pleased, fellow citizens, to accept assurances of my respect and my best wishes.

JAMES MADISON.

## Legislature of South-Carolina.

*The special committee to whom was referred so much of his excellency the governor's message, as relates to our foreign relations, respectfully submit the following address and resolutions.*

TO THE PRESIDENT OF THE UNITED STATES.

*Sir*—The legislature of this state on a former occasion by an unanimous vote expressed their approbation of the declaration of war against the kingdom of Great Britain. This we are satisfied was the only course which the United States could pursue, consistently with her honor and her interests. A recurrence to the causes of the war exhibits on the part of Great Britain a series of wrongs and insults, and on the part of the United States a lively solicitude for peace, and a degree of forbearance, which being misunderstood, but served to invite further aggression. To be dishonored in the eyes of other nations, and humiliated in our own, or to make a dignified appeal to arms was the alternative left to us. The faithful representatives of a high minded and honorable people could not hesitate, and the issue now rests with God and our country. To a stranger unacquainted with the nature of our political institutions, the valorous achievments and martial enterprize of our citizens will appear extraordinary when contrasted with the pacific policy of our government, and their long endurance of the violation of our national rights. This new developement of the American character, will cause it to be held in high and deserved estimation, though reluctant to proceed to the effusion of human blood, yet roused and incensed, no nation is more formidable than a nation of freemen contending in vindication of their rights.

Animated by the same spirit which carried our ancestors gloriously through the revolutionary war, and ambitious to obtain the applause of their country, the most honorable distinction of an American citizen, our soldiers and seamen have performed deeds of gallantry which have shed a lustre on our arms, and carried high the reputation of the nation. But we must turn from this to a less pleasing subject. The manner in which the war has been carried on by Great Britain is such as to excite our warmest indignation, and such as would fully justify the U. States in considering her as having forfeited the rights and courtesies due to a civilized nation. Her conduct stamped with infamy is without parallel except it be found in the pages of her own history.

We take this occasion, sir, to express to you our decided approbation of the vigorous prosecution of the war, and particularly of the retaliatory measures adopted to cause its laws to be respected in the persons of our citizens.

We have seen with great satisfaction the olive branch frequently extended to our haughty foe, and we are free to add that we should consider an *honorable* peace as a desirable event; but if it cannot be procured without a surrender of our rights as a sovereign and independent people, we are ready to say, let the war be perpetual; it is an evil, it is true, but it is an evil more tolerable than national humiliation. It is not for us to prescribe to the general government the manner in which the war shall be conducted; but it must be permitted us to state our settled conviction, that to make the enemy feel its pressure with severity, is the most effectual means of bringing it to a speedy and honorable termination.

The United States hold a conspicuous rank among the nations of the earth, and her high destinies are indissolubly connected with her character and independence. We have only to be *true* to ourselves, and all will be well.

*Therefore, Resolved*, That JAMES MADISON, president of the United States, has by his energetic prosecution of the war, furnished a new claim to the confidence of his fellow citizens.

*Resolved*, That indemnity for our wrongs and satisfactory security for our rights as a nation, are the only terms on which an honorable peace can be bottomed.

## Benedict Arnold.

Having several times alluded to the *famous* appeal and proclamation of *Benedict Arnold*, the editor was called on to insert them at length. He had already commenced a search for these curiosities, when they were presented to him in the "*Standard of the Union*," published at *New York*. We have *marked* a few of the passages, and added a note.

[FROM THE BRITISH "POLITICAL MAGAZINE."]

*The famous general Arnold who abandoned the rebel service, and joined our army at New York, wrote the following address to the inhabitants of America, published in that town, October 7,* 1780.

"I should forfeit, even in my own opinion, the place I have so long held in yours, if I could be indifferent to your approbation, and silent in the motives which have induced me to join the king's arms.

"A very few words however will suffice upon a subject so personal; for to the thousands who suffer under the tyranny of the *usurpers in the revolted provinces*,* as well as to the great multitude who have long wished for its subversion, this instance of my conduct can want no vindication; and as to the class of men who are *criminally protracting the war* from sinister views at the expense of the public interest, I prefer their enmity to their applause. I am, therefore, only concerned in this address to explain my-

*The pointed resemblance of the passages in *italic* to a multitude of speeches, essays and paragraphs of the present day, will strike the reader with astonishing force. Indeed, one might be inclined to think that several of our orators had borrowed their ideas from *Benedict*. His abuse of congress—his *terror* of France—his eulogies on *Great Britain*, and to cap the whole, *his* regard of *morality* and *religion*, will be particularly noted.

self to such of my countrymen, as want abilities or opportunities *to detect the artifices by which they are duped.*

"Having fought by your side when the love of our country animated our arms, I shall expect from your justice and candor, what your deceivers, with more art and less honesty, will find it inconsistent with their own views to admit.

"When I quitted domestic happiness for the perils of the field, I conceived the rights of my country in danger, and that duty and honor called me to her defence. A redress of grievances was my only object and aim; however I acquiesced in a step which I thought precipitate, the declaration of independence; *to justify this measure many plausible reasons were urged, which could no longer exist, when Great Britain, with the open arms of a parent offered to embrace us as children, and grant the wished for redress.*

"And now that her worst enemies are in her own bosom, I should change my principles if I conspired with their designs; yourselves being judges, was the war less just, because fellow subjects were considered as our foes? You have felt the torture in which we raised our arms against a brother. *God incline the guilty protectors of these unnatural dissentions to resign their ambition, and cease from their delusions, in compassion to kindred blood.*

"I anticipate your question, was not the war a defensive one until the *French* joined in the combination? I answer, that I thought so. You will add, was it not afterwards necessary, till the separation of the British empire was complete? By no means; in contending for the welfare of my country, I am free to declare my opinion, that this end attained, all strife should have ceased.

"I lamented therefore the impolicy, tyranny and injustice, which, with a sovereign contempt of the people of America, studiously neglected to take their collective sentiments of the *British proposals of peace, and to negociate, under a suspension of arms, for an adjustment of differences; I lamented it as a dangerous sacrifice of the great interests of this country to the partial views of a proud ancient and crafty foe.* I had my suspicions of some imperfections in our councils, on proposals prior to the parliamentary commission of 1778; but having then less to do in the cabinet than the field, (I will not pronounce peremptorily as some may, and perhaps justly, that congress have veiled them from the public eye:) I continued to be guided, in the negligent confidence of a soldier. But the whole world saw and all America confessed, that the overtures of the second commission exceeded our wishes and expectations, and if there was any suspicion of the national liberality, it arose from its excess.

"Do any believe we were at that time really *entangled by an alliance with* FRANCE? unfortunate deception! they have been *duped*, by a virtuous credulity, in the incautious moment of intemperate passion, to give up their felicity *to serve a nation wanting both the will and the power to protect us, and aiming at the destruction both of the mother country and the provinces.* In the plainness of common sense, for I pretend to no casuistry, did the pretended treaty with the court of Versailles, amount to more than an overture to America? Certainly not, because no authority had been given by the people to conclude it, nor to this very hour have they authorised its ratification. The articles of confederation remain still unsigned.

"In the firm persuasion therefore, that the private judgment of an individual citizen of this country is as free from all conventional restraints, since, as before the *insidious offers of* FRANCE, I preferred those from Great Britain; thinking it infinitely wiser and safer to cast my confidence upon *her justice* and *generosity*, than to trust a monarchy too feeble to establish your independency, so perilous to her distant dominions: *the enemy of the protestant faith*, and fraudently avowing an affection for the liberties of mankind, while she holds her native sons in vassalage and chains.

"I affect no disguise, and therefore frankly declare, that in these principles I had determined to retain my arms and command for an opportunity to surrender them to Great Britain; and in concerting the measures for a purpose in my opinion, as grateful as it would have been beneficial to my country, I was ONLY solicitous to accomplish an event of decisive importance, and to prevent as much as possible, in the execution of it, the effusion of blood.

"With the highest satisfaction I bear testimony to my old fellow soldiers and citizens, that I find solid ground to rely upon the *clemency* of our sovereign, and abundant conviction that it is the *generous* intention of Great Britain not only to leave the *rights and privileges of the colonies unimpaired*, together with their perpetual exemption from taxation, but to superadd such further benefits, as may consist with the common prosperity of the empire. In short, I fought for much less than the parent country is as willing to grant to her colonies as they can be to receive or enjoy.

"Some may think I continued in the struggle of these unhappy days too long, and others that I quitted it too soon—To the first I reply, that I did not see with their eyes, nor perhaps had so favorable a situation to look from, and that to our *common master* I am willing to stand or fall. In behalf of the candid among the latter, some of whom I believe serve blindly but honestly—in the bonds I have left, I pray God to give them all the lights requisite to their own safety before it is too late; and with respect to that herd of censurers, whose enmity to me originates in their hatred to the principles by which I am now led to devote my life to the *re-union* of the British empire, as the best and only means to dry up the streams of misery that have deluged this country, they may be assured, *that conscious of the rectitude of my intentions*, I shall treat their malice and calumnies with contempt and neglect.

B. ARNOLD."

New-York, Oct. 7, 1780.

*General* ARNOLD *reports that the measures adopted by congress in admitting the French to make a settlement on Rhode Island, has shaken its authority to the centre.*

*By brigadier-general Arnold, a proclamation. To the officers and soldiers of the Continental army who have the real interest of their country at heart, and who are determined to be no longer the* TOOLS AND DUPES OF CONGRESS, OR OF FRANCE.

Having reason to believe that the principles I have avowed, in my address to the public of 7th inst. animated the greatest part of this continent, I rejoice in the opportunity I have of inviting you to join his majesty's arms.

His excellency sir Henry Clinton has authorised me to raise a corps of cavalry and infantry, who are to be clothed, subsisted, and paid as the other troops are in the British service; and those who bring in horses, arms, &c. have liberty to sell them: to every non-commissioned officer and private a bounty of THREE GUINEAS will be given, and as the commander in chief is pleased to allow me to nominate the officers, I shall with infinite satisfaction embrace the opportunity of advancing men whose valor I have witnessed, and whose principles are favorable to an union with Britain, and true American liberty.

The rank they obtain in the king's service, will

bear a proportion of their former rank, and the number of men they bring with them.

It is expected a lieutenant colonel of cavalry will bring with him, or recruit in a reasonable time,

| | |
|---|---|
| | 75 men |
| Major of horse | 50 |
| Captain of ditto | 30 |
| Lieutenant of ditto | 15 |
| Cornet of ditto | 12 |
| Sergeant of ditto, | 6 |
| Lieut. colonel of infantry | 75 men |
| Major of ditto | 50 |
| Captain of ditto | 30 |
| Lieutenant of ditto | 15 |
| Ensign of ditto | 12 |
| Sergeant of ditto | 6 |

N. B. *Each field officer will have a company.*

Great as these encouragements must appear to such as have suffered every distress of want of pay, hunger, and nakedness, from the neglect, contempt, and *corruption* of congress, they are nothing to the motives that I expect will influence the brave and generous minds, I hope to have the honor to command.

I wish to lead a chosen band of Americans to the attainment of *peace, liberty* and *safety*, (the first objects in taking the field) and with them to share in the glory of rescuing our native country from the *grasping hand of* FRANCE, *as well as from the ambitious and interested views of a desperate party among ourselves, who, in listening to* FRENCH *overtures and rejecting those from Great Britain, have brought the colonies to the very brink of destruction.*

Friends, fellow soldiers, and citizens, arouse, and judge for yourselves—reflect on what you have lost—consider to what you are reduced, and by your courage repel the ruin that still threatens you.

Your country once was happy, and had the proffered peace been embraced, your last two years of misery had been spent in peace and plenty, and repairing the desolations of a quarrel that would have set the interest of Great Britain and America in a true light, and cemented their friendship; whereas you are now the prey of avarice, the scorn of your enemies, and the pity of your friends.

You were promised liberty by the leaders of your affairs; but is there an individual in the enjoyment of it, saving your oppressors? Who among you dare speak, or write what he thinks, against the tyranny which has robbed you of your property, imprisons your persons, *drags you to the field of battle, and is daily deluging your country with your blood?*

You are flattered with independency as preferable to a redress of grievances, and for that shadow, instead of real felicity, are sunk into all the wretchedness of poverty by the rapacity of your own rulers. Already are you disqualified to support the pride of character they taught you to aim at, and must inevitably shortly belong to one or other of the great powers their folly and wickedness have drawn into conflict. *Happy for you that you may still become the fellow subjects of Great Britain, if* YOU NOBLY DISDAIN TO BE THE VASSALS OF FRANCE.

What is America but a land of widows, orphans and beggars?—and should the parent nation cease her exertions to deliver you, what security remains to you even for the enjoyment of the consolations of that *religion* for which your fathers braved the ocean, the heathen and the wilderness? Do you know that the eye which guides this pen, lately saw your *mean* and *profligate congress* at MASS for the soul of a Roman Catholic in purgatory, and participating in the rites of a church, against whose *anti-christian* corruption, your *pious ancestors* would have witnessed with their blood.

As to you who have been soldiers in the continental army, can you at this day want evidence that the *funds of your country are exhausted*, or that the managers have applied them to their own private uses; in either case you surely can continue no longer in their service with honor or advantage; *yet you have hitherto been their supporters in that cruelty, which, with an equal indifference to yours, as well as the labor and blood of others, is devouring a country, that, from the moment you quit their colors, will be redeemed from their tyranny.*

But what need of arguments to such as feel infinitely more misery than tongue can express. I therefore only add my promise of the most affectionate welcome and attention to all who are disposed to join me in the measures necessary to close the scene of our afflictions, which, intolerable as they are, must continue to increase until we have the *wisdom* (shewn of late by Ireland) *in being contented with the liberality of the parent country*, who still offers protection, with the immediate restoration of our ancient privileges, civil and sacred, and a perpetual exemption from all taxes, but such as we shall think fit to impose on ourselves.

B. ARNOLD.

*New-York, Oct.* 20, 1780.

## Prisoners at Worcester.

*To the editor of the Boston Patriot.*—SIR, The Worcester Gazette, of the 5th instant, charges me, as marshal of this district, with having executed in a rude and unfeeling manner, the president's mandate for the imprisonment of the ten British officers, prisoners of war, confined in the gaol of that county.

*That the reputation of the country may not be implicated,* I publicly pronounce this charge, and others of a similar kind in the same paper, to be *grossly* and *maliciously* and *totally false;* and the writer, *if an inhabitant of Worcester*, must have known when writing the paragraph, that he was giving circulation to a falsehood, which has no color or pretence of truth.

That the public may judge of the manner in which these officers were treated, I take the liberty to state, that I arrived in Worcester about twelve o'clock at noon; and, by my deputy, requested the officers to meet me at major Mower's tavern, which they did, (with the exception of the German officers, who were quartered about two miles from thence;) the orders of the government were then stated to them, but at the request of the prisoners of war, (on their parole of honor not to avoid me) the execution of these orders was delayed until after they had dined, and it was after five o'clock in the afternoon when they were collected at the prison. During this time, the under keeper was employed in making the best accommodation for their reception, and I personally attended to see large and comfortable fires built, and that every arrangement for their convenience should be attended to. The officers behaved with great propriety, and the unpleasantness attached to the duties which had devolved on me, was increased by the *rude* and inflated conduct and language of ————,* who most singularly stated himself to be *counsel for prisoners of war*, denied or doubted the right to confine them, outra-

*A name is inserted here, but the editor of the REGISTER cannot consent to give it record without publishing the reply of the accused, to which he has two objections, *viz.* its great length and superabundance of *hard words*. But he has laid it on file and may give it a place at a time of more leisure than the present.

geously abused the national government in their hearing, and openly declared "*he was ready for rebellion, when British field officers were arrested:*" FORGETTING THAT OUR OWN COUNTRYMEN OF EQUAL RANK, *(and why may I not add of equal merit!)* WERE RUDELY AND UNFEELINGLY CONFINED, WITH NOT HALF THE CONVENIENCES OR ACCOMMODATIONS WHICH THESE PRISONERS WERE ABOUT TO RECEIVE.

The *mode* of confinement was the best which the very friendly feelings of the sheriff, his deputy, the under keeper and ————,* could suggest. The prisoners were put into the debtors', and not criminals' apartments. Three dollars and fifty cents for each per week, was applied to their use, by the government, which sum supplied them with every luxury the country affords. Good feather beds, and blankets, were procured for them, and such was my anxiety that the unpleasant duty assigned me should be executed in the manner which the government directed, with as little personal inconvenience as possible, that on the tenth day of December, I addressed to colonel Grant a letter, of which the following is an extract:

"*Marshal's Office, Boston, Dec.* 10, 1813.

"Hon. Charles V. Grant, and the other gentlemen now confined at Worcester gaol, under a retaliatory order of the president.

"You will permit me, gentlemen, to avail myself of this occasion to state to you, that in obedience to the special orders of my government, I have given directions (and at the moment of your last arrest) that you be furnished with neat and decent beds and bedding, suitable to your rank and standing in society, as also with good provisions and firing, thereby to render your unpleasant situation as comfortable as the nature of the case will admit. It is the wish of the government you should be thus treated, and my constant endeavor shall be exerted to meet their intentions. *If, therefore, it may unfortunately happen, that any neglect or deficiency may take place in your accommodation, I request your intimations to me thereon, and the evil will be remedied without delay.* In the execution of the unpleasing duty assigned me, I trust you will have been persuaded, I was actuated by a due sense of the very delicate situation each of us were placed in, and that the order was executed, without *losing sight of the honorable situation you held with your king and country.*"————"You will be pleased to receive from me, as an individual, the tender of personal services, if I can be useful, and to accept the assurances, &c.

(Signed,) J. PRINCE, *Marshal.*"

It is true that "no state authority" was obtained or confining these prisoners. By a law passed February 26, 1790, the free use of the commonwealth's gaols are ceded to the United States for the confinement of their prisoners; and this "state authority" gives the marshal the same right to put the United States' prisoners in gaol, that the sheriff has to put therein the prisoners of the commonwealth. This authority was used by me; but without any authority, the precautions I had taken to prevent their escape, were removed the same night, and intimations given of that hostility to government which would be equally willing to prevent their confinement, or favor their escape.

Before the prisoners were taken into close custody, and while on parole, intimation was given to one of them of the probable cause of my visit to Worcester, and an offer made to him of a horse and chaise to assist his escape, which the officer (having more honor than the traitor who made it,) indignantly refused.

My orders from the commissary general of prisoners were to proceed with all delicacy possible, consistent with peremptory obligations imposed upon him. I have done so. The prisoners were neither hurried to gaol, nor harshly treated when confined. The angry and passionate declamations of their friends added nothing to their misfortune, nor did it intimidate the officers of the national government from effectually obeying the orders which they went to execute.

The personal scurrility which the Worcester paragraph contains, I pass by as the idle wind, which I regard not. My only object is to satisfy my fellow-citizens, *that the fair and unsullied fame of our beloved country for humanity, and the virtues of civilization, have not been stained by any act of mine.* If the friends of these British officers can as well excuse themselves for the escape which has recently been effected, as they can justify the country or its officers from the charge of rude and unfeeling conduct, it will be well for their personal character, and for the laws of the state.

JAMES PRINCE, *Marshal Dist. Mass.*

*Marshal's Office, January* 14, 1814.

By an advertisement of the marshal, it appears that nine of these officers made their escape from the jail, on the evening of the 12th instant. He describes their persons, and offers $500 reward for their apprehension, or so in like proportion for the number recovered, with reasonable expences, and adds—

"And whereas there is just cause to believe that the said British officers detained as aforesaid, have received aid and comfort since their confinement, and are now secreted and assisted so as to effectuate their final escape by evil disposed and corrupt citizens, who prefer the interest of the enemy to their own country. To such and to all others, I warn them of the consequences resulting from such traiterous conduct as giving counsel, aid and comfort to a public enemy, especially those situated as are these British officers—and while I call on the good citizens of the nation to be active and zealous in the premises—I do also offer a reward of *Five Hundred Dollars*, to any person or persons who having knowledge of such treacherous conduct may give information as may lead to a conviction of the traitors

*On the escape of those* British *officers the* Boston Daily Advertiser *has the following remarks. We know they are* wind—*but they may* amuse *our readers, and deserve remembrance:*

"It is not true as reported, that a number of SPIRITED YOUNG MEN had determined to give *marshal* Prince those *honors which our ancestors used to bestow on the obnoxious officers of the customs.* They, to be sure, felt *an indignation* mixed with contempt at the arrogance of the latter part of this advertisement for the apprehension of THOSE GALLANT OFFICERS whom Mr. Madison has seized to answer for the lives of some *self-acknowledged traitors.* Who authorised Mr. Prince to characterize the alleviating the sufferings of the *victims* of a barbarous and cruel policy as "treason," and to offer a reward for the apprehension of such "traitors," we are yet to learn.

One would think the deepest malice would be satisfied with having taking up, and turned into apartments without any comforts but straw beds and a miserable rug those young men whose only crime was that of being born in the country of Montgomery and Gates or La Fayette, or *of having served the same monarch whom Washington once served.*

I tell marshal Prince *to his head,* that should he succeed in recapturing them, (if they are accessible) *I will not hesitate to join in giving them the "aid and comfort"* of all the luxuries which may alleviate their unmerited sufferings. Some men seem to feel only

for culprits. If these officers had committed murder and piracy like Dalton or Tully, we should then hear marshal Prince's humanity trumpeted forth, his sending them a bottle of wine, and weeping over their fate.

If I had a brother, a father or a son now retained in Canada to answer for these said gallant officers, *I would offer a reward of five hundred dollars to any one who would facilitate the escape of these Englishmen* as the surest way of saving the life of my friend. I believe every humane man, every one who felt a horror (almost universal) at the idea of exposing not only the lives of these innocent men, but as *many of our own officers*, for some British traitors justly condemned by their own laws, felt a joy at their escape and pray that they may not be retaken. On the escape of these nine depend the lives of eighteen innocent human beings, the victims of Mr. Madison's novel policy.—Both Mr. Madison and Mr. Prince, if they wish to avoid the stings of remorse in this world and the guilt of shedding innocent blood in the next, *ought to rejoice in the liberation of those men.*

For my part I wish they only had marshal Prince on foot in pursuit. I think if they have any wind or bottom, I would take any odds against the lynx eyed full blooded greyhound of Mr. Madison."

*The following account of the escape of the prisoners is given in the Worcester Ægis:*

"On the evening of Wednesday, the 12th instant, nine of the British officers confined in this town, effected their escape in the following manner.—Between nine and ten o'clock, the gaoler's assistant entered the room where these officers were confined, to see that they were safe and to lock them up for the night. He had no sooner stepped within the door, than the prisoners seized him, held a pistol to his breast, and threatened him with instant death if he made the least noise or resistance. They proceeded to make fast his feet and hands, and to put a gag into his mouth, so that he could neither move nor utter any distinctly audible sound. They then issued from the door and betook themselves to flight. In the course of half an hour, the young man, by violent struggling, extricated his feet and crawled into the gaoler's house, when the gag was removed, he made known what had taken place. In the course of the night, and during several days, pursuit was made, and *five* of the prisoners were brought back and safely lodged in prison. *Four* remain untaken. On Saturday, those in custody left town in carriages, for Pittsfield or Albany."

The Ægis adds, that in consequence of the loose manner in which the sheriff held the prisoners, arrangements had been made to convey them to a place of greater security. The fact is supposed to have been communicated to them. The sheriff the next day offered $20 a piece for their apprehension, but does not appear to have taken any other measure to re-possess himself of them.

## Proceedings of Congress.

HOUSE OF REPRESENTATIVES.

*Thursday, January* 20.—After disposing of many private petitions, the day was chiefly occupied by a committee of the whole, on the bill for an extension of enlistments. It was passed to a third reading.

*Friday, January* 21.—Mr. Robertson, after some remarks on the subject, among which he observed it was singular that there was nothing in the constitution or the law which points out the manner in which one of the most important rights belonging to man in his social character, is to be exercised, &c. offered the following resolution—

*Resolved*, That a committee be appointed to enquire into the expediency of providing by law for the exercise of the right of expatriation, and that they have leave to report by bill or otherwise.

Laid on the table.

The bill which passed this house for filling the ranks and encouraging enlistments into the army of the United States, was returned from the senate with sundry amendments, the object of which was in the first place, to vary the mode of the distribution of the bounty, retaining the same amount, so as to give only twenty-five dollars on enlistment and a like sum on mustering, instead of fifty in each case, as proposed by the bill that passed this house; and in the next place, to vary the proposition granting eight dollars to every person procuring a recruit.

The house refused to agree with the amendments of the senate—94 to 54.

The engrossed bill authorising the enlistment of certain regiments for five years or during the war, was read a third time.

After some speaking on the subject the previous question was called for, and carried 79 to 34—the main question was then put and decided in the affirmative 90 to 15.

The yeas and nays were—

YEAS.—Messrs. Alexander, Alston, Anderson, Archer, Bard, Barnett, Beall, Bowen, Bradley, Brown, Butler, Caldwell, Calhoun, Chappell, Clopton, Comstock, Condit, Conard, Crawford, Creighton, Crouch, Davis of Penn. Denoyelles, Desha, Earle, Eppes, Evans, Farrow, Findley, Fisk of Ver. Fisk of N. Y. Forney, Forsythe, Franklin, Gholson, Gourdin, Griffin, Grundy, Hall, Harris, Hasbrouk, Hawes, Hubbard, Humphreys, Ingham, Jackson of Virg. Kennedy, Kent, of Md. Kerr, Kershaw, Kilbourn, King of N. C. Lefferts, Lowndes, Lyle, Macon, M'Coy, M'Kee, Montgomery, Moore, Murfee, Nelson, Newton, Ormsby, Parker, Pickens, Piper, Pleasants, Rea of Pen. Rhea of Ten. Rich, Ridgely, Ringgold, Roan, Roberts, Sage, Sevier, Seybert, Skinner, Tannehill, Taylor, Telfair, Troup, Udree, Ward of N. J. Whitehill, Wilson, of Pen. Wright, Yancey—90.

NAYS—Messrs. Baylies, of Mass. Bigelow, Brigham, Champion, Ely, Hale, Hufty, Mosely, Pearson, John Reed, Taggart, Ward of Mass. White, Wilson of Mass. Winter.—15.

The house then adjourned at a late hour.

[The following are the names of those who voted against the resolution offered by Mr. *Findley* in compliment to Mr. *Clay*, on resigning his office as Speaker:—Sheffey, Stanford, Lewis, Pitkin, Pickering, Davis, Miller, Gaston, Pearson, Hanson, Grosvenor.]

*Saturday, Jan.* 22.—Mr. Ingersol reported a bill to fix the residence of the attorney-general at the seat of government.

The bill from the senate for the relief of the inhabitants of the island of Nantucket was passed, 105 to 8.

The amendments of this house to the senate's bill for extending the enlistments of certain regiments, were returned from the senate disagreed to; and the house, on motion of Mr. *Troup*, receded from its amendments.

The house insisted on its disagreement to the amendments of the senate to the bill to provide for filling the ranks of the army. Committees of conference have been appointed.

*Monday, January* 24.—Mr. Law, of Con. after some remarks, in too low a voice to be heard by the reporter, called the attention of the house to the story about certain blue lights which had been put in circulation, and had received countenance by the publication of an official letter from one of our naval officers to the head of a department—and which

was calculated to draw down odium on a part of the state which he represented. That letter to which he alluded contained a charge against certain persons in Connecticut, not exactly of their having afforded aid and comfort to the enemy, but of having afforded them intelligence, by means of those lights, which had the effect of aiding the enemy in their operations. The motion Mr. L. was about to make, was not, he said, induced by any belief that the report was correct; for he could not believe that his native town contained in its bosom men so abandoned as to light those torches. The conduct of those people in protecting the ships of war of the United States from those of the enemy during the last summer, precluded the suspicion of such a charge being correct as to them, Mr. L. took a brief view of the manner in which the state of Connecticut had patriotically defended the United States' squadron when the general government was unable to defend it from the blockading squadron of the enemy. In that service the state troops or militia had remained until November, at which time the United States had collected, as was supposed, a sufficient force to answer the purpose. The United States then having a garrison in the fort, it was presumed the commander of that force had kept up proper guards and patroles about the points in the neighborhood; and yet, in the month of December, on these very points these wicked lights, these torches of treason were said to have been exhibited. He could not believe, under these circumstances, that these lights were exhibited as represented, but that some delusion must have existed on the subject. It was proper, he conceived, that the fact should be enquired into, and placed on its proper footing, as it had been alluded to frequently in this house. With this view he offered the following resolution:

"*Resolved*, That a committee be appointed to enquire whether any treasonable correspondence has been held, or information by means of blue lights or signals by fire given from the shore at or near the harbor of New-London in the state of Connecticut, to the blockading squadron off that harbor, whereby the enemy might learn the state, condition or movements of the American ships under the command of commodore Decatur now in that port; and that the committee be authorised to take evidence by deposition or otherwise as they may deem necessary, and report thereon to this house."

Mr. Mosely supported the motion. Mr. Grundy was willing such an enquiry should be made, if the matter were referred to the naval committee.

Mr. Fisk said he was sorry to hear a wish expressed by the gentleman from Tennessee for the proposed enquiry. When he looked at the principle of this motion, he trembled at the consequences of its adoption. What was the principle? It was nothing more than a proposition to exercise, through a committee of this house, the inquisitorial power to enquire whether treason has been committed in a particular instance. He hoped no such precedent would receive the sanction of the house.

Mr. Eppes and Mr. Jackson of Va. opposed it. Mr. Roberts moved to lay it on the table. Mr. Calhoun thought it a matter too diminutive to engage this house. The motion was finally laid on the table.

*Turreau's letter again.*—Mr. Roberts offered for consideration, without preface, the following resolution:

*Resolved*, That the message of the president, communicating a report to the secretary of the state, respecting the translation of a letter addressed by the late minister of France to the secretary of state, bearing date on or about the fourteenth of June, 1809, which it appear from said report has been irregularly withdrawn from the department of state, be referred to the committee of foreign relations, to investigate when, by whom and in what manner the said translation of a letter was so withdrawn, and when and in what manner it came into the possession of Alexander C. Hanson, a member of this house, and that the said committee be authorised to send for persons and papers.

On motion of Mr. Calhoun the resolve was amended, by a vote of 75 to 48, so as to substitute a *select committee* for the "committee of foreign relations."

Several members expressed their weariness with this matter. Mr. Grosvenor moved to amend the resolution by adding the following—"*and also when and in what manner the original of such translation was withdrawn from the department of state.*" Several other members spoke to the resolution, and Mr. M'Kim moved that it should lie on the table, which was agreed to—ayes 80, nays 62.

On motion of Mr. Calhoun, the house resolved itself into a committee of the whole, Mr. Nelson of Va. in the chair, on the bill for prohibiting the delivery of libelled merchandize or goods to the owners thereof, pending its trial.

After debate, the bill was ordered to be engrossed for a third reading.

*Tuesday, January 25.*—Mr. Troup, from the conferees on the disagreeing votes of the two houses on the bill, for filling the ranks of the army, &c. made a report, which was ordered to lie on the table—for the purpose of awaiting, it is presumed, the decision of the senate on the said report.

*State advances of money.*—The speaker laid before the house the following report:

*War Department, 24th January*, 1814.

SIR,—In obedience to a resolution of the house of representatives of the 15th instant, I have the honor to transmit the enclosed letter and account.

By the former it appears, that no claims (other than those of the state of Virginia) for monies advanced by states, or territories, in calling into the service of the United States, detachments of militia, are filed with the accountant of the war department; and by the latter is shewn, the items in the accounts rendered by the state of Virginia, which have been adjusted under the authority of existing laws, and those which require legislative provision. I have the honor to be, &c. JOHN ARMSTRONG.

The hon. Mr. Cheves, speaker of the house of representatives.

*Department of War, Accountant's Office, January 22*, 1814.

SIR—In conformity to the resolution of the 15th instant, I enclose a copy of a letter from the governor of Virginia, addressed to the secretary of war, and by him referred to this office; and a copy of my letter in reply to the governor, together with a copy of the list of disallowed charges, on settlement at this office on the 17th November, 1812, as well as the amount of the monies now standing to the debit of the state of Virginia, on the books of this office. There are no other documents in this office, touching the subject of the resolution of the house of representatives, no accounts being filed here for monies advanced by states or territories, in calling into the service of the United States detachments of militia. Respectfully, I am &c.

W. SIMMONS.

*The secretary of war.*

(Copy.)

*Richmond, October 14*, 1812.

SIR—Enclosed I transmit an account of the commonwealth against the United States, and the vouchers in support thereof. I beg leave to suggest to you, the indispensable necessity of a prompt atten-

tion to this subject, as the contingent fund, upon which we have been compelled to draw for a great proportion of this account, is entirely exhausted, and claims against the state, which depend upon that fund for payment, are suspended. If a difficulty should arise to any of the items, it may be a subject of future discussion. In the interim it is important to us, that so much of the account as is admitted should be forthwith discharged. If convenient, a draft on the bank here will be most acceptable.

With high respect, &c.

(Signed) J. BARBOUR.

*The secretary of war, Washington.*

(Copy)

*Department of War, Accountant's Office, Nov.* 17, 1812.

SIR—The secretary of war has referred to this office your letter to him of the 13th ult. together with the accounts accompanying it. These accounts, as well as those heretofore rendered by the state of Virginia, have been acted on, and such parts admitted as it is thought the military laws of the United States, existing at the time the disbursements were made, would authorise. A copy of the account current now enclosed, will shew you the items, composing the sum of $17,159 31, the amount admitted. And the accompanying statements embrace all the charges made by the state which have been disallowed, with the causes of such disallowance noted. Such of the rejected vouchers as are not on file in this office, were returned to Mr. Henning: a list of which is added to statement, No. 1, herewith. The balance in favor of the United States is $2114 10, as will appear from the enclosed account current.

I have the honor to be, &c.

(Signed) WM. SIMMONS.

*His excellency James Barbour,*

*Governor of the state of Virginia, Richmond.*

On motion of Mr. Eppes, the report was referred to the select committee, having the subject under consideration.

The engrossed bill "for the more effectual enforcing of the non-importation laws, by forbidding the courts to deliver to the claimants, pending the trial, merchandize or other articles seized under the same," was read a third time and passed, by the following vote:—For the bill 87, against it 56.

So the bill was passed and sent to the senate, for consideration.

A committee of the whole went through and reported to the house a bill to prohibit the ransoming of vessels. The provision to take effect on the first day of April next.

FILLING THE RANKS, &c.

A message from the senate was read, concurring with the report of the committee of conference on the disagreeing votes of the two houses on the bill for filling the ranks, encouraging enlistments, &c.—and the house took up the message.

Mr. *Troup* stated that the report of the conferees had been made upon the principle of compromise, and amounted to this—that the house was to recede from its disagreement to the senate's amendment so far as relates to an increase of the land bounty, and the senate was to recede from its amendment to the bill respecting the money bounty; so that, if the bill was agreed to, the whole bounty in money would be 124 dollars to each recruit—50 on enlistment, 50 on mustering the recruit, and 24 on the discharge from service: the land bounty remaining as it has heretofore been. Mr. T. related the arguments which had been used in committee, &c. and recommended an acceptance of the report.

The report was accepted by the house without a division.

[So that the bill wants only the signature of the president to become a law.]

Mr. Hopkins (of N. Y.) after some introductory remarks in which he dwelt particularly on the burning of *Newark* and the distresses of the people on the Niagara frontier, offered the following resolution——

*Resolved*, That a committee be appointed to enquire into the expediency of providing by law for the indemnity or relief of those who have suffered losses by the irruption of the enemy on the Niagara frontier: and that the committee have leave to report by bill or otherwise.

Mr. Calhoun of S. C. observed that this motion embraced a novel principle; on which the house ought to have time to reflect, and therefore moved that it lie on the table.

Mr. Troup rose chiefly to state a fact in relation to the burning of *Newark*.

The commanding officer in that quarter had been ordered by the secretary of war, to destroy Newark in one event only—when it should be absolutely necessary to the safety of fort George. It could only have become so in case of an attack on fort George, the enemy availing himself of Newark as a place of shelter. Now no attack had been made on fort George; and the burning of Newark was of course not consequent to any order of government, but the disobedience or misconduct of the commanding officer.

The motion of Mr. Hopkins was ordered to lie on the table.

Mr Kilbourn introduced a resolution having for its object to increase the pay of the seamen on the lakes, on account of some objections they were stated to have to that service. After some remarks from Mr. Lowndes, Mr. K's resolution being on its passage, was negatived—Ayes 26.

*Wednesday, Jan.* 25.—The bill to prohibit the ransoming of ships or vessels, was passed; ayes 80. nays 57.

The house then resolved itself into a committee of the whole on the bill to raise three additional rifle regiments.

After some time spent therein, in which one long speech was made without mentioning the bill before the house, the committee rose, reported progress, and had leave to sit again.

# Events of the War.

## MISCELLANEOUS.

OUR FRIGATES.—There has been much debating and controversy in the *British* parliament respecting the frequent sailing and safe arrival of our frigates. The President, com. *Rodgers*, is particularly pointed at. Some say there is not force enough on the American coast, (though they have *one hundred and sixty* war-vessels in our seas,) and others that the force is not properly disposed; but the ministerialists say that the thing complained of is owing entirely to the *enterprize* of the Yankees. Lord *Castlereagh* said that "the demand [for men] on the American station had been prodigious." Mr. *A. Baring* declared that the "30 or 40 vessels in the *Chesapeake* had disgraced the country, as well by their ineffectiveness as by their mode of carrying on the war." Mr. *Croker* said that the British fleets had performed all that the country expected of them. The matter ended by voting 140,000 men for the naval service of the year.

MASSACHUSETTS.—In the house of representatives, January 14—Mr. Otis laid upon the table a resolve, expressive of the duty of the state of Massachusetts

to aid the governor of Vermont and the people of that state, or any other state, with their whole power, in enabling them to support their constitutional rights, whenever the same shall be in danger of infringement from any quarter, and that it will be the duty of the legislature, whenever requested by the legislature of Vermont, or other state, upon due evidence of such infringement, to make provision by law for their effectual support. Ordered to lay upon the table of the house till further orders.

PENNSYLVANIA.—In the senate a few days ago, Mr. *Gemmil*, after some pointed remarks, presented to the chair the following resolution—

*Resolved*, That a committee be appointed to bring in a bill granting to each one of the first fifteen hundred men, being inhabitants of this commonwealth, who shall before the first day of April next, enlist in the service of the United States, for and during the present war, a bounty of dollars in addition to the bounty which may be offered, for the same term of service, by the government of the U. States.

ENGLAND.—The London papers of the 5th of Nov. are filled with speeches in the British Parliament on the motions in the two houses for addresses to the prince regent in answer to his speech. The addresses were unamimously agreed to in each branch. The members of parliament and the London editors discovered that they were in high spirits.

*Extract from speech of Lord Compton.*

"He now would turn to the new world, and lamented that a nation professing principles of liberty, should have united in support of the most execrable despotism, and counteracted the progress of the cause of European freedom. He might be told, that America was not the ally of France. He knew that she had not signed and sealed a formal treaty of alliance with that country; but she had formed that species of alliance which was fully an equivalent, by giving her all the assistance of her power in the contest now waging. However, he hoped the hour of her awakening to her true interest drew near.

"She had already been roused from her dream of maritime superiority, by the thunder of the Shannon; and when she saw the heroic and successful resistance of Canada—when she found her commerce annihilated, her ports blockaded, her armies captured and destroyed, she must perceive the inutility of her efforts to injure our power; and, with the declining fortunes of France, her blindness must dissipate, her eyes open to the light, and her mind to wisdom."

SINGULAR COINCIDENCE—The London Courier of November 4, contains the first account of Perry's glorious victory on lake Erie. The same day the prince regent makes his speech in which he says all *our* efforts against Canada had failed. And on the same day, lord Castlereagh, the prime minister, writes a letter to our secretary of state, proposing negociations for peace.

GEN. HULL.—Two lawyers have appeared at *Albany*, as counsel for gen. Hull, who has requested that his counsel may exercise the same privileges before the court martial as if in a court of law. This is contrary to precedent and practice; but the court will decide on the matter. Gen. *Cass*, Dr. *Eustis*, late secretary of war, col. *Miller* and several other important witnesses have arrived at Albany; and it is expected the court will now proceed in the regular examination of them.

TWISTING.—The *London* editors declare most solemnly that the fleet which *Perry* took on lake *Erie* was not a part of the *royal navy*, but a mere local force—a provincial thing, of no consequence at all.

PRISONERS—Com. *Berrie* of the Dragon 74, commanding the enemy squadron blockading the *Chesapeake*, lately observed to a private gentlemen who went on board his ship with a flag from *Norfolk*, that he had about 160 American prisoners on board the squadron; that he had not the means of making them comfortable; but was compelled to keep them on half allowance of very bad provisions—that he was anxious to get rid of them, but no application had been made for their release—and rather than detain them in their distressing situation he would give them up on a bare receipt for them. Which being reported to general *Taylor*, at Norfolk, though he was not regularly authorised to interfere in the matter, he despatched a cartel with such proposals as it was in his power to make, and commodore *Berrie* returned 130 of the prisoners, the rest being detained to condemn the prizes sent to *Bermuda*.

SMUGGLING.—We yet have a good deal of smuggling to the eastward. There has been a great trade with *Halifax*, but the "commerce," we think, is nearly "destroyed." Several valuable seizures have lately been made.

VIGILANCE.—The cartel ship Fair American lately sailed from New York with an United States messenger, and several other passengers for *England*—the messenger proceeds to *St. Petersburg*. After the sailing of the vessel, eleven persons were found snugly stowed away in different parts of the ship who has not procured passports. They were brought back in the revenue cutter, and while on board the cutter destroyed a number of letters and papers.

ALEXANDER.—It would be well for those who affect so much regard for the emperor of *Russia*, to weigh well his sentiment in regard to the war between the *United States* and *Great Britain*. See the documents inserted in the last number—the official note says—"*His majesty who takes pleasure in doing justice to the wisdom of the United States of America,* IS CONVINCED *that it has done all that that it could to prevent this rupture.*" But it is all hypocricy—were *England* out of the question, *Alexander* would be disregarded. The same persons call themselves disciples of *Washington* and coldly talk of *treason*.

The British appear to have closely confined every American officer at *Halifax*. The gallant fellows, on several occasions, met the usage of the enemy with three cheers! There is no whining or whimpering. The soul of these men is embarked in the cause of their country; and

"Even in the dark and dreary damp of dungeons
"The soul can rear its sceptre, smile at anguish,
"And triumph o'er oppression"—

MR. CLAY was to have left Washington City yesterday (Friday) for N. York, to embark for *Gottenburg*.

DESTRUCTION.—A *Boston* NEWSPAPER has killed off, and reduced a *Virginia* regiment that was 800 strong, to about 70 men, in a few months, by disease—and then adds the following *pious* and *patriotic* remarks:

"1st. It evinces a most *sinful* negligence in the medical department of the army. What a waste of human life has arisen from the pitiful policy which actuated the government in their appointments of the medical staff!

"2dly. From this *peculiar* mortality in the *Virginia* troops, we infer that *southern* constitutions are incapable of sustaining the hardships of a campaign in this rigorous *northern climate*.

"3dly. In this fact and in the dreadful destruction of the *Kentucky* troops at the beginning of the war; we may see the *just judgment of* GOD upon those parts of the country which have been most instrumental in plunging us into the *wicked contest*."

A REMARK:—The burning of *Newark* has excited great sensibility in certain members of congress, who never said one word in reprehension of the destruction of *Havre-de-Grace*, *French-town*, *George-*

*town, Frederick-town*, of the ravishments at *Hampton*, the murders by the *British* at the river *Raisin*, or of the devastation of the savages under the agency of the *English*.

"THE WELL INCLINED."—A party of 13 mounted infantry was sent out from *Burlington*, Vt. towards the lines, to look out for some dear lovers of "commerce," or in other words, *smugglers*. On their return after an unsuccessful search, they stopped to refresh themselves at a public house. While there, they were *attacked* by a gang of 30 armed villains, who immediately commenced a fire upon them. One of the soldiers was killed and five taken prisoners, by the smugglers. How superabundant is our country of scoundrels.

We have had the pleasure to notice the safe arrival of many very valuable American vessels within a few days last past.

WAR SHIP—The ingenious and indefatigable Robert Fulton, (says the *Aurora*) we find has directed his attention to the employment of steam-boats for purposes of public defence, in the harbors and waters of the United States. The following is a copy of a certificate from some of our most distinguished naval officers, which is so explicit in description and so conclusive in the judgment given on it, that no remarks of ours are necessary, and could not add to the weight of the opinions given. We hope it will meet their attention where it should, to which its importance entitles it.

NEW-LONDON, January 3, 1814.

We, the undersigned, have this day examined the model and plans of a vessel of war, submitted to us by ROBERT FULTON, to carry twenty-four guns, twenty-four or thirty-two pounders, and use red hot shot, to be propelled by steam at the speed of from four to five miles an hour, without the aid of wind or tide. The properties of which vessel are: That without masts or sails, she can move with sufficient speed; that her machinery being guarded she cannot be crippled; that her sides are so thick as to be impenetrable to every kind of shot—and in a calm, or light breeze, she can take choice of position or distance from an enemy. Considering the speed which the application of steam has already given to heavy floating bodies, we have full confidence, that should such a vessel move only four miles an hour, she could, under the favorable circumstances which may always be gained over enemies' vessels in our ports, harbors, bays and sounds, be rendered more formidable to an enemy than any kind of engine hitherto invented. And in such case she would be equal to the destruction of one or more seventy-fours, or of compelling her or them to depart from our waters. We, therefore give it as our decided opinion, that it is among the best interests of the United States to carry this plan into immediate execution.

(Signed) STEPHEN DECATUR,
JA. JONES,
J. BIDDLE.

NEW-YORK, Jan. 10, 1814.

We, the subscribers, having examined the model of the above described vessel of war, to be propelled by steam, do fully concur in the above opinion of the practicability and utility of the same.

(Signed) SAMUEL EVANS,
O. H. PERRY,
L. WARRINGTON.
J. LEWIS.

*Boston, January* 18.

NEUTRALITY.—A Swedish schooner, which arrived as Gloucester a few days since, and was reported to be from St. Barts, but was seized on suspicion of coming from Halifax—disappeared on Sunday night the 16th inst. We are informed see had a custom-house officer and three men on board, and that a number of persons went on board the same night, and very quietly set them on shore.

MILITARY.

The *Petersburg Volunteers*, having returned to their homes, have been received by their fellow-citizens with singular honors. "The pride of Sparta (said the orator) were the heroes of Thermopylæ—the pride of Virginia the heroes of Fort Meigs."

The agent for prisoners at *Burlington*, Vt. advertises one captain, one ensign and four sergeants, *British* officers, who unmindful of the honorable obligations contracted by them, have effected their escape in violation of their paroles. The ensign is a native of *New-York*, and the four sergeants were born in *New-Hampshire*. The latter were young men, viz. 21, 27, 28 and 35 years of age, respectively.

A very considerable number of officers have lately started to return to the Canada frontier.

*Recruiting.*—Captain Gill, late first-lieutenant of the *Baltimore volunteers*, now of the U. S. Sea Fencibles, recruited a company consisting of 104 non-commissioned officers and privates, in *twenty-nine days*. We believe this company, with another that is raising, is to be in some degree attached to the flotilla designed for the defence of the upper part of the Chesapeake bay.

It is supposed that lieutenant-general *Drummond* has gone up for the purpose of attacking *Detroit*; but our force at that place is very respectable, and several corps of militia were about to march for the defence of the ground we had gained. *Harrison* will probably proceed to the frontier. The indians appear faithful to the peace that we granted them.

The following is a list of the British corps now serving in Canada:—1st, (or Royals) 1st battalion; 8th, 13th, 41st, 49th, 89th, 100th, 103d, and 104th regiments; 10th Royal Veteran battalion; Royal Newfoundland, Canadian and Glengary Fencibles, corps of Voltigeurs; Watteville's and Meuron's regiments; 19th Light Dragoons; detachments of the Royal Artillery and Royal Engineers; Artillery drivers and corps of Royal Sappers and Miners with an extensive commissariat department.

*The Creeks.*—We are without distinct intelligence of the state of things in the Creek country; but we presume that nothing important has latterly happened.

*Wilkinson's army.*—We have very satisfactory accounts from this part of the national force. The men are comfortably provided, and so well fitted that if the enemy shall attack them we have no reason to fear the result. The general has recovered his health; he proceeded to *Plattsburg* and reviewed the troops at that post on the 11th instant. He has since been on to *Waterford* but was to have returned to the lines about a week since. He appears to be popular with the army, and to have excited the respect of the citizens on the frontier.

"We have it from good authority, (says a *Burlington*, Vt. paper) that 120 yoke of oxen have "*gone over*" to the British to assist in transporting their military stores, &c. *This is very neighborly.*

Brigadier-general *Winder*, arrived in Baltimore, on Thursday last from Quebec, and proceeded yesterday for Washington city. He is said to be on parole and to return to *Quebec*.

One thousand men, of the North-Carolina militia, have been called for by major-general *Pinkney*, to march to Fort Stoddert, to relieve the Georgia troops.

The *Burlington* paper of the 21st inst. says that a party of dragoons under corporal Bracken, surprized the enemy's picquet at Oldtown and brought off a sergeant major and eight men. A British major

Goodhue, with one private and a bugle horn, has been taken at Champlain. The major says he come out with a flag of truce, *but lost it.*

*Extract of a letter from brigadier-general Floyd, to major-general Pinkney, dated*

"Fort Mitchell, Jan 2d, 1814.

"By the indians it is reported, that the army from Mobile, on the 30th ult. destroyed Chootsaputka, an indian town of SEVEN HUNDRED inhabitants, situated about thirty or thirty-five miles below the fork of the Coosau and Tallapoosa, and that a heavy firing of cannon and small arms has been since heard in the neighborhood of Tustigee, still higher up.

"They also state, that the British had arrived at Pensacola, and are holding out inducements to the war party of indians to persist in their designs, by abundant presents of goods and ammunition; and that M'Queen has sent a party to procure the latter article.

"I give this information as I received it."

*Plattsburg, January 15.*—At the time of the last alarm, the magistracy and other inhabitants of this place, addressed general Wilkinson on the subject of the public property stored here, and of their own critical situation. The letter was answered in a style of politeness indicating both the gentleman and the man of feeling—several bodies of infantry and dragoons were immediately ordered to march, and have since arrived at this place.

## THE NIAGARA FRONTIER.

One good, at least, is likely to result from the incursion of the barbarians; which is a union of sentiment and of action among the people of the *Niagara* frontier. This wholesome spirit has been purchased dearly; but had it existed from the beginning, there is reason to believe that the late disastrous events might not have happened. The citizens have seen the *British*, and know the magnitude of the falsehood that says they are just and magnanimous. They find they must rally round the standard of their country, if they would preserve their own safety. *Party politics* have nothing to do with a foreign enemy, and the savage will not hold his tomahawk to ask, if the victim be a *republican* or a *federalist*.

Among the persons murdered at *Lewiston* and *Schlosser*, in addition to those already alluded to, were Miles Gillet and a young brother, Mr. Mack, Mr. Towbridge, Mr. Tiffany and captain Rose. They were stripped, scalped and had their hearts torn out. Several *families*, men women and children, were taken into *Canada*, confined together as prisoners.

Some straggling parties of the marauders in the neighborhood of fort *Niagara*, have been taken by the militia.

At *Buffalo* the enemy destroyed every house and building except the jail, a blacksmith's shop and one small house. They made a circuit round *Buffalo* of about two miles, and desolated the country. The schooners Ariel, Little Belt, and sloop Trippe, lying at Black Rock, were destroyed. Our loss in killed at *Buffalo*, was between 30 and 40, who were all mangled—besides these, about 20 of the wounded were afterwards *murdered*—the bodies of all were horribly mangled. The force that attacked *Buffalo* was commanded by major-general *Riall*, and consisted of about 1500 regulars, 500 militia, and 800 or 1000 indians. They entered the place immediately on the retreat of major-general *Hull* with the militia, and committed deeds that honor blushes at.

Children have been separated from their parents and parents robbed of their children. The white and red enemy were alike savage and barbarous. The following incident is mentioned—and it is believed that many of the apparent *indians* were really hell-hound *Englishmen*, who cloaked their horrid propensities in the disguise of the savages—"A white man, whose savage heart had induced him to adorn his person with an indian dress, was shot near Daniel's inn, 14 miles from Batavia, by Dr. Turteleit, while attempting to make his escape from the guard. He was taken a prisoner a short distance from Buffalo, and was one among a party of indians who had just plundered and set Hodge's brick house on fire. He was known to be a prominent leader among the indians, stimulating them to the commission of the most wanton and cruel barbarities. There is but one wrong attending this transaction, that is, ever taking him prisoner."

The *Canandaigua* paper says—"We are sorry to learn that a number of Canadian citizens, old tories, taken prisoners at Newark and sent into the United States, some time last summer, should be permitted at this important crisis to return to the enemy—but such is the fact. Several have passed through this village within a few days, on their way to Buffalo, who will undoubtedly be able to give the enemy very important information."

It appears that many were killed in fort Niagara after resistance had ceased. The whole were scalped.

The enemy crossed into Canada from Buffalo on the 1st inst. They yet hold *Niagara*, and probably will possess it some time, for it is a strong place.

Liberal subscriptions have been made at *Albany* and many other places for the relief of the sufferers by the incursion of the barbarians.

## NAVAL.

The privateer True Blooded Yankee, fitted out in one of the French ports, is still successfully employed on the British coasts, making many prizes.

It appears that eight or ten *French* frigates are at sea. Two of them have lately been captured, under the very singular circumstances mentioned in the following article from a late British paper——"*Naval twins.*—The Weser and Traver. Some singular coincidences are connected with these frigates. Their keels were laid down on the same day; they were launched the same day; sailed the same day; were dismasted on the same day; were brought into Plymouth on the same day, and had a similar number of men and weight of metal. Their crews were entirely composed of young men from the age of 18 to 22, *most of whom have volunteered into the British service.* They were originally conscripts."

☞This is inserted among *our* "events of the war" to shew *British* NATURALIZATION.

The Junon and Tenedos have arrived at Halifax from Boston bay—45 of the crew of the former were badly frozen: and 5 or 6 of the latter in irons for attempting an escape.

The Fly, from Jamaica for London, captured by the President frigate, has been recaptured by the Melpomene.

The freedom of the city of *Dublin* has been granted to captain Broke, of the Shannon.

A report prevailed in *New-York*, some days ago, said to have been founded upon the declaration of certain prisoners who had been on board the *Orpheus* frigate—that that frigate in company with a 74 had chased the President—that *Rodgers* waited for the frigate, (out sailing the ship of the line) and gave her three broadsides which shattered her dreadfully and killed and wounded 63 men, among them the captain—by this time the 74 had got as close as *Rodgers* thought *necessary*, and he went on his cruise. *The story may be true*, but we do not believe it.

A party of men were landed from the Herald sloop of war on the 22nd ult. who destroyed the fort lately erected at the Balize, mouth of the Mississippi.

Captain *Porter* has lost three of his prizes on our coast—*viz.* the Policy, Georgiana, and Mary-Ann, re-captured by the enemy.

The elegant privateer ship Jacob Jones, of 600 tons, carrying 20 twelve pounders and a picked crew of 127 men, lately sailed from *Boston*, for a cruize in the Indian seas.

*The Erie flotilla.*—It is stated that about 2000 men have collected at *Erie* for the defence of the flotilla at that place. They with capt. *Elliott* and his gallant sailors, we trust, will be competent to any exigency.

*The Ontario flotilla.*—We learn there are 400 ship carpenters employed at *Sackett's Harbor*. It is thought the enemy designs to attack that place from *Kingston*. If he does we do not fear but that he will be beaten.

*Copy of a letter from lieutenant Claxton to his father in Washington city, dated*

MACEDONIAN, *New-London, Jan.* 19, 1814.

*Dear father*—For the two last days we have been all anxiety, an American captain returned on parole from the Ramilies, 74, a few days since, and communicated to commodore Decatur, a consultation he had with captain Hardy, in which the latter said "that now that two frigates were off, of equal force to the United States and Macedonian, that he should have no objection to a meeting taking place, but that he could not allow the challenge to come from the English commanders." The hint was embraced in a moment, and captain Biddle dispatched with a challenge from our commanders. In the mean time every preparation was made, on our side, for an immediate engagement, which we all supposed no objection could be made to, the crew sof both ships were called together, and addresssed by their commanders, who made known to them the substance of the busin ss then on foot, they were answered by three hearty cheers. Captain Jones concluded his short but pertinent address in the following words, spoken with great modesty, "my lads, our cruize will be short, and I trust a very profitable one." Captain Biddle went on board the 74, a signal was immediately made for the two commanders of the English frigates, and they went on board. Captain Hardy addressed them, "gentlemen here are two letters for you, it rests altogether with *you* to decide on the matter," Stackpole of the Statira, answered with the greatest affectation "pon honor, sir, it is the most acceptable letter I ever received." The final answer was to be given yesterday. Captain Biddle returned and related the circumstances as I have mentioned. For myself I thought from the manner of Stackpole that he would be the first to flinch, I am not able to say that he did, it is enough, that the captain of the Borer (sloop of war)came in yesterday and made known that they had declined meeting us. This circumstance has made a vast deal of conversation much to the credit of our commanders—it will probably be distorted into a hundred different shapes before it is done with, I have therefore given you a correct though brief account of it. The Endymion, mounts the same weight of metal with the United States and three or four guns more, and the Statira is superior to us by one or two gums. The disappointment is very great with us, for every soul calculated on taking her with ease. You see we must trust altogether to our heels.

Yours affectionately,

A. CLAXTON.

BLOCKADE OF THE CHESAPEAKE.

It is positively stated that the enemy in the bay have direct and immediate intelligence of every thing that passes at *Norfolk*, &c. It is supposed they obtain their information by means of certain active negroes they retain for the purpose. They also appear to be employed in building boats; keeping several negro sawyers constantly at work. The enemy is reported to have made a great distinction between their prisoners—for it is said that while the masters of northern vessels were suffered to mess with the officers, those from the south were kept forward among the men.

## American Prizes.

WEEKLY LIST—CONTINUED FROM PAGE 336.

"The winds and seas are Britain's wide domain,
"And not a sail, but by *permission* spreads!"
*British Naval Register.*

741. Brig ———, from St. Lucia, sent into Elizabeth city, (N. C.) laden with 140 hhds. and 200 barrels of sugar, by the Caroline of Baltimore.

742. Sloop Resolution, from Jersey for Lisbon with linen and paper—captured by the letter of marque schooner General Armstrong, on her passage from France, dispossessed of her cargo and give n up to the prisoners.

743. Brig Phœbe, from Forney for Madeira, laden with butter and potatoes, captured by the same and scuttled. The General Armstrong has arrived at New York.

744. Brig Commerce, from Martinico for Halifax, laden with rum and molasses, a prize to the letter of marque brig Flirt of New York, dismasted and otherwise severely damaged, as induced the prize crew to abandon her. She was burnt.

745. Schooner Fanny, from Trinidad, laden with sugar, carried into Charleston S. C. by the Revenge of Baltimore.

746. Brig Victoria, laden with 250 hhds. Jamaica rum, 40 hhds. sugar, and a quantity of coffee, sent into Savannah, by the Rapid, of Charleston.

747. Tryal, 200 tons, burnt by the Grand Turk.

748. Brig ———, from Lisbon, captured by ditto and ransomed for $8000.

749. Brig ———, from Halifax for England, laden with lumber, captured by ditto and burnt.

☞The Grand Turk has arrived at Salem. Besides the above vessels, she captured and manned 2 valuable ships, 1 brig and 1 schooner. One of the ships is estimated to be worth $150,000. We wait their arrival. The G. T. cruized about 20 days in the mouth of the English channel. She had no fighting, nor was she chased by a vessel of war.

750. Schooner ———, laden with sugar, coffee, &c. sent into Sunbury, by the Patapsco, letter of marque, of Baltimore.

751. Pink Stern boat, said to belong to Herrings gut, with $20,0000 worth of English goods, captured off George's river, by a row-boat privateer. *We fear this is smuggling.*

752. British packet Lapwing, 10 guns and 40 men, captured by the Fox of Baltimore, of 7 guns and 70 men after a desperate resistance, by boarding, in which 14 of the enemy were killed and 6 or 8 wounded. On board the privateer one man killed and three slightly wounded. The Packet has since been recaptured, but she had been divested of her valuable articles.

753, 754, 755, 756, 757, 758, 759, 760, 761, 762. Ten enemy vessels, captured by the Caroline, of Baltimore, (in addition to several whose safe arrival we have noticed) divested of their valuable articles, and burnt, sunk, &c. The Caroline has arrived at Charleston, S. C. with a large amount of dry goods, &c. on board. She caught, also, two *traitor vessels*. The following is an extract from her log-book.—"Nov. 20, fell in with the American sloop Osiris, Driggs, from Martinique bound to St.

Brrtholomews, with a cargo of molasses. Captain Driggs taking the Caroline for a British cruizer, showed his British license to captain Almeda, at the same time informed him that he had supplied com. Oliver, of his majesty's ship Valiant, off New-London, with a quantity of potatoes and apples, for which he was paid, and that he had no doubt if he fell in with an American privateer he should be hung. Put Mr. Canoning and prize crew on board the Osiris, and ordered her for the first American port."

The fate of two or three more of the Caroline's prizes is yet to be learned, being manned and ordered into port.

763. Sloop Osiris, (alluded to above) now called a Swede, having a British licence, prize to the Caroline, laden with molasses, arrived at Wilmington, N. C.

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HOME MARKET.—An intelligent writer, speaking the "unbounded expansion of our commerce" in 1805—says "hence if we are prematurely urged to rival Europe in their own trades, *it will be the natural result of transatlantic* POLICY." What was matter of opinion has become fact.

There are now running in the neighborhood of *Providence*, R. I. no less than 120,000 spindles; these spindles make 110,000 lbs. of yarn each week, and consume about 6,000,000 lbs. of cotton *per ann.* The value of the cloth made from this yarn is estimated at $8,140,000 a year!

The greatest crop of cotton yet raised in the U. States, I do not believe, has exceeded 50 millions of pounds in a year. Here is a *little spot*—a speck of the United States, that requires at least one tenth of the mighty product; and mills for spinning cotton are to be found in every part of the union—many in Ohio, where less than 10 years ago the Indian hunted the deer. From this great attention to manufactures, it is very possible increased supplies of the raw material must be raised. It is the most profitable crop that the planter can raise, and the manufacturer in the United States can afford to pay him *more* for it than the European market has allowed. The idle talk about the "dearness of labor in America," is declining; and the enemies of manufactures who yet use this favorite phrase of my lord *Sheffield*, do not recollect how great a portion of the labor of *spinning* and *weaving* is done by machinery; and have to be told that a *spindle in America*, will do as much work as a *spindle in England!*—It is a truth, that the *cost* of transporting the cotton to Europe and bringing it back manufactured, calculated for the time when our intercourse with *Great Britain* was the least interrupted, (i. e. in 1804 or 5)—say for freight, insurance, duties and other charges, amounted to more money than the *whole price* paid for the *labor* bestowed on goods manufactured in the United States. We therefore cannot fear that our manufactories of cotton, wool, &c. will be affected, though peace should take place to-morrow. The present great profits may be reduced; but there is room enough for them to fall; while they yet may be as lucrative as any man *should* desire. At this time, a cotton mill is more valuable than a gold mine.

The greatest import of cotton into *England* was, I believe, in 1806-7—when, from all parts of the world, about 85 millions of lbs. were received, in one year. What a mighty business!—But, in from 3 to 5 years, *we* shall manufacture as great a quantity. The aggregate value, at the wholesale prices, may be roughly estimated at about 110 millions of dollars *per ann.* What a blessed "HOME INFLUENCE" will this enormous sum create? We *can* and WILL (if the world shall be at peace) undersell *Great Britain* in most manufactures of cotton, in the time above stated. *We* are not afraid of *labor-saving machines;* for they will not produce insurrections, starving whole societies; *we* have no import or export duties to pay, and many other advantages which the spirit and wants of her government cannot easily dispense to her manufactures.——Let us rejoice in these happy prospects, and exultingly point to the *market at home* for our surplus commodities.

HIGH TREASON.—The persons committed to *Boston* jail, charged with supplying the enemy with cattle at *Provincetown*, were examined before judge *Story*. Their names are *John* and *Ebenezer Hussey*, who plead not guilty. It would be incorrect to pass judgment on these men until the affair is more fully investigated; but the facts deposed against them are pointed. One person, who was a prisoner on board the Majestic, declared he heard the officer direct the men to take the boats, as there were cattle coming down for them; it was proved that they had driven the cattle to the beach, in view of the enemy, and that one of them had a private conversation with the lieut. of the Majestic, when he landed from that ship. The judge refused to admit them to bail.

DIRECT TAX.—The senate of Maryland originated and passed unanimously, a resolve to assume the payment of the state's quota of the direct tax; but the house of delegates refused to concur therein.

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## Law Intelligence.

*From the New-York Advocate.*

At the present term of the U. S. district court, held by the honorable William P. Van Ness, has been decided a very important point of prize law.—The property in question was claimed by Mr. Richardson, a naturalized citizen of the U. S. and had been shipped on board the Mary and Susan, an American vessel, to be imported into this country. The claimant, after his naturalization, returned to his native country, Great Britain, and continued to reside and do business there until some time after the breaking out of hostilities, when he came to the United States, and now lives in this city. His claim was rejected, and the property was *condemned*, upon the ground of his commercial residence or domicil being in the enemy's country at the time war was declared, and his intention to return and fix his future, permanent residence in the United States, was not announced with sufficient certainty, nor carried into effect in such a manner, as to render his naturalization available to avert the condemnation.

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## THE CHRONICLE.

*Bonaparte*, at Paris, appears to be making mighty efforts to regain the high stand he lately had. The French people seem to bear the reverse of his fortunes with magnanimity and firmness. He has had the address to persuade them that he was really victorious, but compelled to retire with loss, through the defection of his allies. It is represented that though the *Saxons*, as a body, deserted, the king remained faithful to his engagements; and is now a prisoner, dragged about by the Saxon generals, "the authors of the infamous treason." Powerful reinforcements are moving towards *Mentz*. It is not believed the allies will attempt to cross the Rhine. We have a report from *Bordeaux*, that a congress was to be held at *Manheim* to treat of a general peace. Some of the representatives have been named.

Lord Wellington is near *Bayonne* and it is said has commenced the bombardment of that place.

# THE WEEKLY REGISTER.

No. 23 of vol. V.] BALTIMORE, SATURDAY, February 5, 1814. [whole no. 127

*Hæc olim meminisse juvabit.*—Virgil.

Printed and published by H. Niles, South-st. next door to the Merchants' Coffee House, at $ 5 *per annum.*

## The Supplement.

The prospectus, with the receipts for those who desire the proposed supplement to the present vol. of the Register, will have been forwarded to all the editor's agents by the last of next week. See the terms of it, in the paper of January 8, page 305. It is to contain *twelve sheets*, price *one dollar*; to be paid for on engaging the copy and no more to be printed than are engaged, by the middle of March next. This rule will be absolute; and gentlemen residing in places where there is no agent (if they desire to have it) will please to adopt some means, to make known their wishes to the editor, before the time stated. There are some powerful reasons for adopting this procedure, which will be explained hereafter.

The matter of the supplement will be exceedingly valuable, and the editor most earnestly recommends that every friend of the *Register* should have it. Its contents will be miscellaneous; rich in co-temporary biography, and many other departments, with some distinguished speeches in congress, &c. Any one not approving it, when received, may return it to the editor's agent, and have their money refunded, if applied for within a week after it shall come to hand.

☞*Letters to the editor must be post-paid.*

## Legislature of New-York.

### GOVERNOR'S SPEECH.

*Gentlemen of the Senate,*
*and of the Assembly,*

It would have given me great satisfaction to have had it in my power to congratulate you on this occasion, upon the return and the advantages and blessings of peace. The government of the U. States, both before and since the commencement of the present war with Great Britain, has uniformly evinced a disposition to adjust, upon liberal and reciprocal terms, the existing differences between the two nations.—The appointment of envoys plenipotentiary, who repaired to Europe so early as May last, upon the proffered mediation of the emperor of Russia, furnishes an incontestible proof of that disposition. It does not appear that a spirit equally conciliatory, has influenced the councils of the enemy. The good offices of the emperor have been declined, and a proposition has been submitted to our government, by the prince regent, for transfering the theatre of negotiation to London or Gottenburgh. The president has given further evidence of his desire to terminate the calamities of war, by acceding to that overture also.—It is to be hoped, that the contemplated negotiation may result in the conclusion of an honourable and lasting peace. But, when we consider that pacific conferences are greatly procrastinated by the proposed change of the place of treating; when we reflect upon the non-acceptance, by the prince regent, of the mediation of his illustrious friend and ally, upon the former inadmisable pretensions of the British government, and upon the terms of lord Castlereagh's recent communication to the secretary of state, our hope of a favorable issue ought not to be sanguine. If the late proposition has proceeded from a willingness to restore amity, upon principles which may be mutual and consistent with the established maxims of public law, the impending conferences will, very probably, eventuate propitiously. But we ought not to permit the hope of that result to lull us into a fatal security; for it may be that we must ultimately depend upon an unanimous, vigorous and successful prosecution of the unavoidable contest in which we are involved, for the establishment and security of our just rights.

It was not to be expected after so long a period of peace, that upon the first declaration of a war by the United States, a well organized and efficient army could be immediately brought into the field.—There was little of the experience of the revolution remaining in the country; and to develope military talents and national resources, and to give them the most wise and beneficial direction, is the work of time. In tracing the progress of our arms in the late campaign, however, there is as much cause of pride and congratulation as it was reasonable to hope for.

The navy has maintained, if not brightened the lustre of its antecedent character. Arduous battles and brilliant victories, surpassed by none recorded in the annals of history, and which have given splendor to the American name, have been fought and won by it. The capture of York, the taking of fort George, the conquest of Proctor's army, the subjugation of the western Indians, the successive victories over the Creeks, the defence of Sandusky, of Sacket's Harbor and of other places, were honourable to our arms, and have exhibited traits of conduct and intrepidity in the army that justify high expectations. These gratifying events, it is true, have been followed by some disappointments and disasters. Public expectation was highly excited by the last movement of the main army, and was greatly disappointed at the failure of the supposed object of that movement.

The recent invasion by the enemy of the western frontier of this state, and the extraordinary surrender to him of the garrison and fort of Niagara, the burning of flourishing villages and settlements, the pillage of private property, and the massacre of peaceable inhabitants of that frontier, by a savage foe, are melancholy occurrences, calculated to excite the liveliest sympathy for the sufferers, and to rouse the indignation of every friend of humanity and of his country. The conduct of the enemy during that invasion, was marked by a disregard of the rules of civilized warfare, and by a malignant ferocity. Many of our fellow-citizens who were at peace, with their families, were murdered and scalped. The bodies of many of those who were wounded or taken prisoners in the engagement at Black Rock, have been found mangled in the most shocking manner, by the tomahawk and scalping knife.

The distresses of the families who have thus become the victims of a cruel and unprecedented warfare, call for the immediate and liberal interposition of the legislature. The character and dignity of the state, as well as justice to our exposed and suffering fellow citizens, demand the exertion of its utmost power and resources, to punish the attrocities of the enemy, and to render that frontier secure in future from his incursions and cruelties.

The measures which were taken upon that emergency, with the requisitions, correspondence, orders and reports relating thereto, will be specially communicated without delay.

You will permit me, gentlemen, to remark in this place, that the want of some legal provision, whereby the burden of defence may be more equitably diffused, and the less wealthy part of the community relieved from the disproportionate share of actual service to which they are subjected by the existing laws, the want of legal power for enforcing summarily obedience to the authority delegated to the officers by the militia law, and to supply food, quarters and transportation for troops called out under state authority, render it impossible for the militia generals to repel invasions, immediately and effectually.

I must likewise be indulged in again soliciting the attention of the legislature to the propriety of raising corps of volunteers, of giving them suitable remuneration for their clothing, and an increase of pay. These corps might take the field upon any emergency, without the tedious process of detaching, assembling and organizing men from remote districts, and would perform any actual service which might legally be required, more usefully than detached militia.

By an act of congress, passed in June last, a direct tax was laid upon the United States; and in the apportionment, the sum of four hundred and thirty thousand, one hundred and forty-one dollars and sixty-two cents, has been imposed upon the state of New York. The same law distributes the quota of each state to the several counties thereof, but authorises the state legislatures previously to the first day of April next, to vary the apportionment, and entitles each state to a deduction of fifteen per cent. upon paying its quota into the treasury of the United States, before the 10th day of February next, and of ten per cent. if paid before the first day of May next. The limitation of time, to have the benefit of deduction of fifteen per cent. is extended by a late supplementary law, to the 20th day of February.—The advantages which will accrue to our citizens, and of course to the state, by the payment of this quota directly into the treasury, are too obvious to be enumerated. The saving to the citizens of the state, of about 65,000 dollars, and to the nation of the expense of assessment and collection, will amount to nearly one hundred and thirty thousand dollars. The number of inhabitants, and the amount of wealth of the respective counties of this state, vary essentially from year to year; so that it is scarcely possible at any one time to make a perfectly equitable distribution of a tax amongst them. A considerable part of our unsettled lands are owned by non-residents. The inconveniences and sacrifices of the inhabitants of some counties, arising from their exposure to the enemy, and from the frequent calls which have unavoidably been made upon them, to perform actual militia duty, have been such, that it would at this particular juncture, be unreasonable and severe, to levy upon them any part of the direct tax. The state can advance the present tax without any material embarrassment of its treasury, or call upon its citizens.

In the year 1808, a loan at seven per cent. was made by the state to its citizens for their accommodation and relief under the then restrictive laws.—The privilege of borrowing from divers banks at five and six per cent. interest is reserved to the state in the acts giving or extending their several charters. It is therefore in our power to borrow at a moderate interest the amount of the direct tax before mentioned, to advance it for the benefit and accommodation of our citizens, and to appropriate and pledge for its repayment the securities taken for former loans by the state. The importance of this subject to our constituents and to the interests of this state, and of the nation, will, I trust, recommend it to your early and serious attention.

Soon after the last adjournment of the legislature two persons were convicted in this city of the crime of murder: the one as principal in the first degree, and the other as being present, aiding and assisting in the commission of the crime. I judged it to be my duty to suspend the execution of one of them. The report and documents upon which the respite was founded are now presented to you.

GENTLEMEN—The progress and success of domestic manufactures and improvements of every kind—the high price obtained by the husbandman for the products of his labor, and the general health, prosperity and tranquility (except in the lamented instances already noticed) which has prevailed within our state during the last year, call upon us to render fervent gratitude to that indulgent Providence who has mingled so many of the enjoyments and benefits of peace with the afflictions of war. Let us therefore implore him to continue his benedictions upon our beloved country, and to grant us unanimity, patriotism and wisdom to pursue, at this important session, the most essential interests of this state and of the union. DANIEL D. TOMPKINS.

*Albany, January 25, 1814.*

## Legislature of Delaware.

*Gentlemen of the Senate and of the House of Representatives,*

Called to the chief magistracy of the state, at this time of public difficulty, by the voice of my country, I feel the obligation imposed upon me, and am sensible of the gratitude due to my fellow-citizens.—In addition to their favor and partiality, I have to ask of them and of you, gentlemen, a liberal indulgence for such mistakes either from the peculiar circumstances in which we are placed, or from a misapprehension of the public welfare.

In relation to the war in which we are engaged, it may be observed, that whatever dangers or distresses may befal us—whatever embarrassments may ensue from the novel and critical situation of the country, it should be remembered that such dangers and embarrassments will not always be within the control of the administration, nor within the means of the state to prevent. Limited in regard to our resources, we must look for protection, support, and relief to the government of the United States. On congress is imposed the duty, and to them is given the authority of providing for the common defence; and it is both hoped and expected that the United States will be prepared to meet any invasion or hostile attempts which may be made on our shores the ensuing season. At the same time my earnest exertions shall not be wanting to employ in the most effectual manner, according to the provision of the laws, the power and energy of the state in repelling the enemy and in the protection of our fellow citizens.

The most fatal calamities attendant on republics spring from party struggles and from partialities to foreign nations, produced without a cause, and resting on no solid foundation. It is a political truth, universal, and, I believe, without exception, that nations never love each other, and that they are just, in proportion to the advantages they derive from justice. If we consult the history of the enlightened republics of Greece, or the more powerful republic of Rome, we shall find innumerable instances of

their perfidy under the guise of love and friendship, and perhaps not a single case of disinterested generosity. The former, indeed, submitted to the intrigues and unbounded professions of the cunning and ambitious Philip of Macedon—the latter succeeded as much by her arts as her arms in forging chains for the nations of the earth, and in obtaining universal dominion.

In modern times our own knowledge affords a sad confirmation of the truth of ancient history. The examples, which Europe and the east furnish of the annihiliation of the weaker governments, and the subjugation of the strong by their more potent allies and pretended friends, should never be forgotten.—If it should be our happiness to profit by the experience of others, and to learn wisdom by their misfortunes, we shall shun an alliance with any European power. On this interesting topic the advice of the great Washington should ever be had in remembrance, and it should dwell on our minds, that the patriots of our revolution who declared our right to assume among the powers of the earth, the separate and equal station, to which the laws of nature entitled us, pledged their lives, their fortunes, and their honor to hold the rest of mankind enemies in war, in peace friends. If we exceed these bounds, if we unite our destiny with any other nation, if peace or war is made to depend upon the ambition, convenience, or advantage of any other state, kingdom or empire; then indeed shall we cast our happiness and self-government into the hands of those who cannot and will not feel for us in adversity, nor rejoice with us in prosperity.

In respect to our internal affairs, at this period of your session, it is not to be presumed, that I thus new in office, should be prepared to propose many measures for the good of the state. But considering how essential to our internal improvements canals, drains, roads, and bridges are, I submit to the legislature the propriety of passing such general or special laws as will promote and encourage those objects. And as the safety of our fellow-citizens, and defence of our maritime boundary are of the highest importance, adequate and suitable arrangements should be made to meet the exigency of our affairs.

The expenses which we incurred in our military operations, the last spring and summer, and all other similar expenses which may arise in the course of the war, ought to be sustained exclusively by the federal government: I therefore recommend to you, gentlemen, for the keeping regular accounts of all future disbursements, and for the preservation of those already made or received by the commissioners heretofore appointed. I feel it incumbent on me to suggest to you, that application should be made to congress, or to the president for the reimbursement of last summer's expenditures, and for such as may in future accrue. It is unreasonable, that a section of the union exposed as we are, should be burdened exclusively, with repelling the attacks of the enemy. We have heretofore borne our full proportion of the charges of the general government; and no one who knows the disposition of the people of this state, their attachment to the constitution, and their patriotic affection to their fellow-citizens of the United States, will hesitate in believing, that they will acquiesce in contributing their share of all necessary taxes, imposts and excises, imposed by congress, both in war and in peace.

Should any matters occur, proper for me to lay before you, during the remainder of your session, they shall be made the subject of a future communication. In the mean time, I have no doubt, gentlemen, your labors will be directed to the preservation of the liberty, and the promotion of the security and happiness of our fellow-citizens; and in all your endeavors for the public good, I can assure you of my sincere and zealous co-operation, on all occasions requiring executive services.

And while with gratitude, we acknowledge the many civil and religious blessings we have enjoyed during a peace of thirty years—let us implore the favor of the Almighty Ruler of the universe, to direct and assist us, in time of difficulty and war, and to enable us to procure a speedy, honorable and permanent peace.

DANIEL RODNEY.

*Dover, January* 18, 1814.

# Finances of Maryland.

*AN ESTIMATE of the debts due to the state of Maryland, from its citizens, &c. with interest thereon to the 1st of November, 1813.*

| | | | |
|---|---|---|---|
| ON BONDS INSTALLED, &c. | | | |
| On account of confiscated property, | 12,053 44 | | |
| On account of open accounts, | 456 28 | | |
| On account of money lent, | 15,334 05 | | |
| On account of the emissions, 1769 and 1773, | 1,176 04 | | |
| On account of vacant land in Allegany county, | 2,105 02 | | |
| On account of Indian lands, | 10,671 39 | | |
| On account of taxes, | 7,216 99 | | |
| | | 49,112 21 | |
| *Deduct the following debts deemed invalid.* | | | |
| For confiscated property, | 6,177 80 | | |
| For open accounts | 556 28 | | |
| For money lent, | 2,409 60 | | |
| For taxes, | 3,130 06 | | |
| For vacant land in Allegany county, | 219 39 | | |
| | | 19,493 13 | |
| | | | 29,619 08 |
| On bonds not installed. | | | |
| On account of confiscated property, | 69,241 16 | | |
| On account of specifics sold, | 1,228 36 | | |
| On account of emissions of 1769 and 1773, | 4,241 56 | | |
| On account of taxes, | 126,339 67 | | |
| On account of balances due from the sheriffs and clerks, | 53,285 94 | | |
| | | 254,337 69 | |
| *Deduct the following debts deemed invalid.* | | | |
| For confiscated property, | 62,327 94 | | |
| For specifics sold, | 1,228 36 | | |
| For the emissions of 1769 and 1773, | 4,241 56 | | |
| For balances due from the sheriffs and clerks, | 33,569 38 | | |
| For balances due from the collectors of the taxes, | 126,339 67 | | |
| | | 227,706 91 | |
| | | | 26,630 78 |
| | | | 56,249 86 |
| Due from the supervisors of the public road, and the poor house in Baltimore county, | | | 13,478 74 |

*The following statement shews at one view the actual existing funds, the receipts and expenditures, the contingent or annual revenue, and the appropriations on it, including the permanent expenses for the ensuing year:*

| The state's capital. | |
|---|---|
| Exchanged six per cent. stock of the United States of 1812, | 599,717 83 |
| Funded three per cent. stock of the United States, | 335,104 74 |
| Loan to the trustees of Charlotte Hall school, | 2,666 67 |
| Loan to the trustees of St. Peter's free school in the city of Baltimore, | 3,000 |
| Installed bonds that are valid | 23,652 41 |
| Uninstalled bonds that are valid, | 6,913 22 |
| Balances that are due from the clerks and sheriffs, | 19,717 56 |
| Stock in the Potomac Company, | 120,444 44 |
| Stock in the Bank of Baltimore, | 106,200 |
| Stock in the Union Bank of Maryland, | 42,400 |
| Stock in the Farmers' Bank of Maryland, | 190,000 |

| | | |
|---|---|---|
| Stock in the Mechanics Bank of Baltimore, | 77,500 | |
| Stock in the Hagers Town Bank, | 25,000 | |
| Stock in the Commercial and Farmers Bank of Baltimore, | 25,000 | |
| Stock in the Farmers and Merchants Bank of Baltimore, | 15,000 | |
| Stock in the Marine Bank of Baltimore, | 10,000 | |
| Stock in the Franklin Bank of Baltimore | 15,000 | |
| Stock in the Elkton Bank of Maryland, | 10,000 | |
| Stock in the Baltimore and Frederick-Town turnpike road, | 10,000 | |
| Stock in the Baltimore and York-Town turnpike road | 5,000 | |
| Stock in the Union Manufacturing Company of Maryland, | 7,500 | |
| | | 1,650,116 87 |
| Balances due from the supervisors of the public roads, | 7,812 07 | |
| Balance due from the poor-house in Baltimore county, | 10,666 67 | |
| *An account of receipts and expenditures of the state of Maryland, from the first of November, 1812, to the first of November, 1813.* | | |
| Balance in the treasury on the first of November, 1812, | 91,853 53 | |
| Amount of receipts into the treasury from the first of November, 1812, to the first of November, 1813, | 399,833 47 | |
| | | 491,686 35 |
| Amount of expenditures from the first of November, 1812, to the first of November 1813, | | 287,499 81 1-2 |
| | | 204,186 53 1-2 |
| *Deduct the appropriations due to the first of November, 1813, and then remained unpaid.* | | |
| For the payment of the civil list and judiciary, | 9,800 26 | |
| For half pay due the officers and soldiers, | 4,517 58 | |
| For the journals of accounts, | 3,836 84 | |
| For Indian annuities, | 95 83 | |
| To the armourer of the eastern shore, | 158 | |
| To the armourer of the western shore, | 300 | |
| To the adjutant-general and brigade inspectors, | 966 66 | |
| For the redemption of the bills of exchange drawn in virtue of an act of assembly passed at November session, 1779, | 3,305 16 | |
| For the redemption of the certificates issued in virtue of the above recited act, | 225 | |
| For colleges, academies and schools, | 4,500 | |
| For the equipment of the quota of the militia of this state per resolution of June session, 1812, | 9,256 92 | |
| For the purpose of furnishing and repairing the government house, | 988 68 | |
| For the payment of the militia which have been called into actual service, | 13,620 | |
| For the purchase of arms, ordinance and military stores, | 134,392 64 | |
| For payment of the accountants of militia claims, | 200 | |
| For the payment of contingent expences, | 286 01 | |
| | | 186,449 57 |
| | | 17,736 96 1-2 |
| The journal of accounts for the present session, estimated at | | 35,000 |
| This sum deficient, | | 17,263 03 1-2 |
| *The probable amount of receipts for the ensuing year.* | | |
| For interest on the exchanged six per cent. stock of 1812, to first of October, 1813, | 35,983 06 | |
| For interest on three per cent stock to ditto, | 10,053 13 | |
| For interest on the loan to the trustees of Charlotte Hall school, | 160 | |
| For interest and principal on the instalfied and uninstalled debt, | 2,000 | |
| For fines, forfeitures, amerciaments, marriage, ordinary, retailers, hawkers and pedlers licenses, | 30,566 67 | |
| For composition on escheats and vacant land, | 1,333 33 | |
| For taxes and seals in the land and chancery offices, | 1,666 67 | |
| For dividend on stock in the Bank of Baltimore, | 8,496 | |
| For dividend on stock in the Union Bank of Maryland, | 3,392 | |
| For dividend on stock in the Farmers Bank of Maryland, | 15,200 | |
| For dividend on stock in the Mechanics Bank of Baltimore, | 6,200 | |
| For dividend on stock in the Hagers-Town Bank, | 2,000 | |
| For dividend on stock in the Commercial and Farmers Bank of Baltimore, | 2,000 | |
| For dividend on stock in the Farmers and Merchants Bank of Baltimore, | 1,200 | |
| For dividend on stock in the Marine Bank of Baltimore, | 800 | |
| For dividend on stock in the Franklin Bank of Baltimore, | 1,200 | |
| For dividend on stock in the Elkton Bank of Maryland, | 800 | |
| For dividend on stock in the Baltimore and Frederick-Town turnpik-road, | 600 | |
| For dividend on stock in the Baltimore and York-Town turnpike road. | 300 | |
| For dividend on stock in the Union Manufacturing Company of Maryland, | 450 | |
| On the loan negociated pursuant to a resolve of May session, 1813, | 45,000 | |
| | | 168,000 80 |
| | | 151,637 82 1-2 |
| For dividend on stock in the Potomac Company:—The dividends on this stock have for several years past been appropriated by the stockholders of said company towards the improvements and repairs of the Potomac navigation; presuming that the dividends for the ensuing year will be appropriated for like purposes, the amount is not carrried to account. | | |
| *The probable annual demand on the treasury,* | | |
| The governor's salary, | 2,666 67 | |
| Five counsellors, | 2,666 67 | |
| Six chief justices of the judicial districts, Twelve associate judges of ditto. | 30,000 | |
| The chief judge of the court of oyer and terminer and general gaol delivery of Baltimore county, | 1,400 | |
| Chancellor, | 3,400 | |
| Treasurer of the western shore, | 2,000 | |
| Treasurer of the eastern shore, | 450 | |
| Trustee, | 200 | |
| Auditor, | 800 | |
| Printer, | 1,200 | |
| Clerk to the council, | 800 | |
| Clerk to the house of delegates, | 300 | |
| Clerk to the senate, | 150 | |
| Messenger to the council and keeper of the state house, | 466 67 | |
| Armourer of the eastern shore, | 300 | |
| Armourer of the western shore, | 300 | |
| Half-pay list, | 7,793 | |
| Contingent expenses, | 1,333 33 | |
| Donations to the colleges, academies and schools in the different counties, | 10,000 | |
| Indian annuities, | 370 | |
| Judge of the land office, eastern shore, | 400 | |
| Register of the land office, eastern shore, | 20 | |
| Register of the land office western shore, | 30 | |
| Adjutant-general, | 500 | |
| Brigade inspectors, 12, at 60 dolls. each, | 720 | |
| Arms and accoutrements to be purchased for the state, | 15,000 | |
| Penitentiary—physician's account, salaries to the keeper, assistant keepers and book keeper of the penitentiary, | 4,500 | |
| Hospital, appropriated by an act of November session, 1811, | 5,000 | |
| Accountants for militia claims, | 800 | |
| Interest on loans, | 23,425 | |
| | 116,491 34 | |
| Journal accounts for the session of 1814, say, | 35,000 | |
| | | 151,491 34 |
| Surplus, | | 146 48 1-2 |

B. HARWOOD, T. W. S. Md.

BY THE COMMITTEE OF CLAIMS.

Your committee beg leave to report, That they have examined the accounts and proceedings of Benjamin Harwood, treasurer of the western shore of Maryland, and find by an account settled by the committee of claims to the first of November, one thousand eight hundred and twelve, there was a balance of 100,334 dolls. 46 cents, funded six per cent. stock; 428,194 dolls. 29 cents, deferred cents, funded six per cent. stock; 63,148 dolls. 76 cents, funded three per cent. six per cent. stock; 5,05[illegible] dolls. 46 cents, of the emissions of bills of credit made stock; by an act of congress of the 18th of March, 1780, and the sum of 91,852 dolls. 88 cents, specie, remaining in the treasury.

That it appears to your committee by the accounts of the said treasurer, he hath received for escheats, caution and improvements

land, 4,732 dolls. 13 cents; for confiscated property, 504 dolls. 73 cents; for taxes under the act for establishing and securing the salary to the chancellor, 678 dolls. 5 cents; for bonds taken for money loaned, 160 dolls.; for bonds taken for vacant lands in Allegany county, 600 dolls.; for fines, forfeitures and amerciaments, 3,590 dolls. 12 cents; for marriage licences, 4,492 dolls. 40 cents; for ordinary retailers, hawkers and pedlers licences, 16,766 dolls. 11 cents; for militia fines, 113 dolls. 28 cents; from the treasurer of the eastern shore, 7,937 dolls. 65 cents; from the president, directors and company, of the Bank of Baltimore, for dividends on stock, 9,558 dolls.; from the president and directors of the Union Bank of Maryland, for dividends on stock, 3,392 dolls.; from the president, directors and company of the Farmers Bank of Maryland, for dividends on stock, 15,200 dolls.; from the president, and directors of the Mechanic's Bank of Baltimore, for dividends on stock, 11,237 dolls. 50 cents; from the president, directors and company, of the Hagers Town Bank, for dividends on stock, 3,750 dolls.; from the president and directors of the Commercial and Farmers Bank of Baltimore, for dividends on stock, 3,250 dolls. from the president and directors of the Farmers and Merchants Bank of Baltimore, for dividends on stock, 1,350 dolls.; from the president and directors of the Marine Bank of Baltimore, for dividends on stock, 1000 dolls.; from the president and directors of the Franklin Bank of Baltimore, for dividends on stock, 1,350 dolls.; from the president and directors of the Elkton Bank of Maryland, for dividends on stock, 900 dolls.; from the Union Manufacturing Company of Maryland, for dividend on stock, 450 dolls.; from Benjamin Harwood, trustee, for dividends of interest on stock, 42,825 dolls. 62 cents; from William Marbury, for a balance due from him on the auditor's books, 71,189 dolls. 45 cents, exchanged six per cent. stock; 71,655 dolls. 98 cents, funded three per cent. stock; and 3,178 dolls 40 cents, specie; from Robert Bowie, Esq. late governor of Maryland, the sum of 788 dollars, 68 cents; and John Brewer 28 dollars 80 cents.

It appears to your committee, that in conformity to a resolution of May session, 1813, authorising the treasurer of the western shore to negociate a loan, on such terms and at such periods as the governor and council shall approve, &c. he has borrowed from George and John Barber, 7,000 dollars; from the president, directors and company of the Farmers Bank of Maryland, 100,000 dollars; from the president and directors of the Bank of Maryland, 20,000 dolls.; from the president and directors of the Bank of Baltimore, 30,000 dollars; from the president and directors of the Farmers and Merchants Bank of Baltimore, 50,900 dollars; from the president and directors of the Marine Bank of Baltimore, 10,000 dollars; from the president and directors of the Union Bank of Maryland, 25,000 dollars; from the president and directors of the Commercial and Farmers Bank of Baltimore, 20,000 dollars.

It appears to your committee by the accounts of the said treasurer, he hath paid the sum of 255 dollars, agreeably to the resolution of November session, 1797, in discharge of the emissions of bills of credit of June, 1780, which emissions your committee have counted and burned.

That it appears to your committee the said treasurer hath paid away from the first of November, 1812, to the first of November, 1813, the sum of 133 dollars 33 cents, of the bills of credit emitted by an act of congress of the 18th March, 1780, and the sum of 287,244 dollars 81 1-2 cents, specie, for all which payments have been produced to your committee the necessary vouchers and receipts; and that there remains in the treasury the sum of 599,717 dollars 83 cents, exchanged six per cent. stock of the United States; 335,104 dollars 74 cents, funded three per cent. stock of the United States; 4,919 dollars 13 cents, of the emissions of bills of credit made by an act of congress of the 18th of March, 1780, and the sum of 204,186 dollars 53 1-2 cents, specie; which sum of specie is appropriated in the following manner, to wit:

| | | *Dolls.* | *Cts.* |
|---|---|---|---|
| Balance of cash in the treasury, | | 204,186 | 53 1-2 |
| Deduct appropriations due to the 1st of Nov. 1813, and remained unpaid. | | | |
| For the payment of the civil list and judiciary, | 9,800 26 | | |
| For half pay due to officers and soldiers, | 4,517 58 | | |
| For payment of the journals of accounts, | 3,836 34 | | |
| For Indian annuities, | 05 83 | | |
| To the armourer of the eastern shore, | 158 | | |
| To the armourer of the western shore, | 300 | | |
| To the adjutant-general and brigade inspectors, | 956 66 | | |
| For the redemption of the bills drawn, and certificates issued according to an act of November session, 1779, | 3,530 16 | | |
| For colleges, academies and schools, | 4,500 | | |
| For the equipment of the quota of the militia of this state, pursuant to a resolution of June session, 1812, | 9,256 91 | | |
| For the purpose of furnishing and repairing the government house, | 988 63 | | |
| For payment of the militia which have been called into service, | 13,620 | | |
| For the purchase of arms, ordnance and military stores, &c. | 134,392 64 | | |
| For payment of the accountants of militia claims, | 200 | | |
| For payment of contingent expenses, | 186 01 | | |
| Journal of accounts for the present session estimated at | 35,000 | | |
| | | 221,349 | 57 |
| This sum deficient, | | 17,263 | 03 1-2 |

All which is submitted to the honorable house.

By order, BEN. GRAY, Clk. Com. Claims.

# Finances of South Carolina.

The article inserted in page 298, headed "*Finances of South Carolina*" was not the *regular* annual report of the comptroller, but a matter *specially* called for, and incompetent to a complete view of the subject, by its reference to a previous communication. The editor thankfully acknowledges himself indebted to the politenses of a gentleman of great respectability in that state for the following, which presents a concise exhibit of the funds of that respectable member of the confederacy.

*An estimate of the public debt of South Carolina, as exhibited to the legislature of that state, at the last session, and referred to in the comptroller general's report published in the* WEEKLY REGISTER *of the 1st January.—page* 293.

| *Dr.* | No. V. |
|---|---|
| Appropriations unpaid 1st Oct. 1813, | $ 114,333 00 |
| Amount of 6 per cent. due this day by the state, including the stock deposited in the state bank, | 151,071 54 |
| Amount of the late deferred ditto outstanding, this day, | 36,666 54 |
| Amount of the 3 per cent. stock outstanding this day, including the 3 per cent. purchased for S. and Luxemburg, worth $55 per cent. | 193,746 39 |
| | $ 495,819 47 |

| *Cr.* | |
|---|---|
| Balance of the two offices of the treasury, this day— | $ 104,807 32 |
| Balance of six per cent. stock of the United States this day, including purchases made by former treasurers, $ 34 52 cents per cent. due, | 284,817 93 |
| Balance of deferred do. of do. including purchases made by former treasurers, $ 64 44 cents per cent. due, | 266,097 98 |
| Three per cent. United States stock, purchased by former treasurers, worth 65 per cent. | 1,318 85 |
| Cash paid in full of the contract with the late Mr. Streckheisen, for which the state is intitled to a credit with S. and L. | 103,975 45 |
| Bonds, notes, &c | 12,000 |
| Balance due on paper medium bonds | 111,027 73 |
| Ditto due by D'Oyley and sureties, | 5,698 02 |
| Ditto on the late general Moultrie's debt, | 731 14 |
| 2,559, shares in the state bank, worth 106, | 271,254 |
| | 1,166,728 43 |
| | 495,819 47 |
| Balance in favor of state, | $ 670,908 96 |

Office of Comptroller General,
October 1, 1813—

THOMAS LEE, *Compt. gen.*

# Laws of the United States.

*An act making further provision for filling the ranks of the regular army, encouraging enlistments, and authorising the re-enlistment, for longer periods, of men whose terms of service are about to expire.*

Be it enacted by the senate and house of representatives of the United States of America, in congress assembled, That in order to complete the present military establishment to the full number authorised by law, with the greatest possible dispatch, there

shall be paid to each effective able bodied man who shall after the first day of February next be enlisted in the army of the United States, to serve for the term of five years, or during the war, at his election, in lieu of the bounty in money and of the three months pay at the expiration of the service, now allowed by law, the sum of one hundred and twenty-four dollars; fifty dollars of which to be paid at the time the recruit is enlisted, fifty dollars when he shall be mustered and have joined some military corps for service; and twenty-four dollars when he shall be discharged from service; and the wife and children, and if he leave no wife or children, the parents of such non-commissioned officer and soldier enlisted as herein before stated, who may be killed in action or die in the service of the United States, shall be allowed and paid the said sum of twenty-four dollars; and after the said first day of February next, so much of the fourth section of the act entitled "An act for the more perfect organization of the army of the United States," passed the twentieth day of January, one thousand eight hundred and thirteen, as allows to each able bodied man, enlisted into the service of the United States in the manner aforesaid stated, an advance of twenty-four dollars on account of his pay, shall be and the same is hereby repealed.

Sec. 2. And be it further enacted, That the sum of eight dollars shall be paid to any non-commissioned officer, soldier or citizen, who shall, after the first day of February next, furnish and procure to be enlisted according to law, an able bodied man to serve for the term of five years or during the war.

Sec. 3. And be it further enacted, That every non-commissioned officer, musician and private, who has been recruited in the regular army of the United States under the authority of the act of the eighth of April, eighteen hundred and twelve, entitled, "An act in addition to the act, entitled 'An act to raise an additional military force,' passed January eleventh, one thousand eight hundred and twelve, may be re-inlisted for the term of five years, or during the war, and that every non-commissioned officer, musician and private, recruited under authority of the act of the twenty-ninth of Janury, one thousand eight hundred and thirteen, entitled "An act in addition to the act, entitled 'An act to raise an additional military force, and for other purposes,'" may be re-enlisted for five years, or during the war.

Sec. 4. And be it further enacted, That the non-commissioned officers, musicians and privates, re-enlisted under the authority of the preceding section, shall be entitled to the bounty allowed by this act to recruits for five years or during the war.

LANGDON CHEVES,
*Speaker of the house of representatives.*
J. B. VARNUM,
*President of the senate pro tempore*

January 27, 1814—Approved,
JAMES MADISON

*An act authorising the president of the United States to cause certain regiments therein mentioned to be enlisted for five years, or during the war.*

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the president of the United States be, and he hereby is authorised and empowered to cause to be enlisted for the term of five years, or during the war, the fourteen regiments of infantry which are now by law authorised to be enlisted for the term of one year, or such number of them, or of the troops composing the same, as in his opinion will best promote the public service.

Sec. 2. And be it further enacted, That each man enlisted under the authority of this act, shall be allowed the same bounty in money and land as is now by law allowed to men enlisted for five years or during the war, and that the officers, non-commissioned officers, musicians and privates, shall receive the same pay, clothing subsistence and forage, be entitled to the same benefits, be subject to the same rules and regulations, and be placed in every respect on the same footing as the other regular troops of the United States.

LANGDON CHEVES,
*Speaker of the house of representatives.*
J. B. VARNUM,
*President of the senate pro tempore.*

January 28, 1814.—Approved,
JAMES MADISON.

## Legislature of Pennsylvania.

The following resolutions, relative to a national road, were offered by Mr. *Duane*, in the house of representatives, on the 11th January.

The legislature of Pennsylvania believe that an inland tide-water communication, between the Atlantic states, would strengthen the union and promote the prosperity of the United States in a greater degree than any other internal improvement; yet, when they reflect that vast resources will be necessary to the completion of such a great work, and that very many years must elapse before it can be placed even in a state of forwardness, they conceive that the general and state governments ought to adopt measures for opening and making a great national road, to be formed progressively to the north and south of the seat of the national government, until the whole extent of the country from Maine to the Mississippi shall have been connected.

Far from interfering with other improvements, either by canals or partial roads, the legislature of Pennsylvania believe that the formation of such a national road would assist every other public enterprise; that it would aid the civil or military measures of the national government; that it would develope and increase the resources of the individual states; and render the manufacturers of the northern, the growers of the southern, and the raisers of consumable produce of the middle states, mutually dependent upon, and serviceable to each other; and that it would produce an incalculable saving in the time, labor, and cost of transportation, especially during winter, when canals cease to be useful.

Impressed with these sentiments, and considering that the congress of the United States are not only most competent to decide upon the merits of such a proposition, but that they have the option to execute such a work by giving national aid, or to prevent its execution by withholding that aid; therefore,

*Resolved, by the senate and house of representatives of the commonwealth of Pennsylvania,* That the senators representing this state in the senate of the U. States, be and they are hereby instructed, and that the representatives of the people of this state in the house of representatives of the United States, be and they are hereby requested, to propose and advocate the adoption of measures for opening and making a national road.

*Resolved,* That in case congress shall adopt measures for executing such an improvement, depending partly upon the concurence and aid of individual states to give them effect, the state of Pennsylvania will cheerfully contribute such assistance as its means may enable it to extend.

*Resolved,* That the secretary of this commonwealth be, and he is hereby directed to transmit a

copy of the foregoing preamble and resolutions to each of the senators and representatives, from this state, in the congress of the United States.

## Legislature of Maryland.

IN SENATE.

*Saturday, January* 29.—On motion of Mr. N. Williams, the following resolution, viz.

"*Resolved by the senate of Maryland*, That the president of the United States and the majorities of the congress thereof, are entitled to the decided approbation and ardent support of this body, and of the whole people of this federative republic, for their wise and energetic support and prosecution of the present just and necessary war against Great Britain, in defence of rights, the abandonment of which would be disgraceful and ruinous to our country—And that the gallant achierments of the army, and the brilliant victories of the navy of the United States, which have crowned our heroes in battle with imperishable glory, command our warmest applause, and excite our highest admiration.

By order, THOS. ROGERS, *Clerk*."

was read the first and second time by special order, and the question put, will the senate assent thereto?

The yeas and nays being required, appeared as follows:

*Affirmative*.—Messrs. Davis, (pres't) Brown, Fenwick, Frazier, Hawkins, Holbrook, L. Hollingsworth, W. Hollingsworth, Stephen and N. Williams—11.

*Negative*—(none.)

So it was unanimously resolved in the affirmative.

HOUSE OF DELEGATES.

[While *Baltimore* was menaced by the enemy last summer, the city councils borrowed of the banks a considerable sum of money to be laid out for the military defence of the place, upon the pledge that they would exert themselves to obtain the passage of a law by the legislature, by which the property in the city and precincts, real and personal, might be taxed to refund it—for, at present, the mayor and city council have power only to levy a certain *per centum* on the valuations made by the *county* assessors, which is barely sufficient to meet the ordinary expenditures. Petitions to this effect were drawn up and signed by almost every person, having real or personal property of any considerable value, in the city and its precincts, without regard to *party*, for all had agreed that the city should be defended. A bill to *allow the people of Baltimore the liberty to tax themselves*, was introduced into the house of delegates some days ago. On the 13th ult. Mr. *Crab* moved that its further consideration be postponed until *June* next, amounting to a rejection *in toto*; the motion failed, ayes 19, nays 38—Mr. *J. H. Thomas* then moved to amend the bill by confining the assessment to the persons who had signed the petition praying for the passage of the bill; this was also negatived—and the bill finally passed—ayes 37, nays 30. The next day, the 14th, Mr. Long moved for a reconsideration of the bill; determined in the affirmative 41 to 36. Then—]

On motion by Mr. J. H. Thomas, the question was put, that the following be inserted as an additional section to the bill:

*And be it enacted*, That the governor and council shall appoint five persons of integrity and firmness, not residents of the city of Baltimore, as commissioners under this section, who, after having taken an oath to perform their duty justly and impartially, shall proceed to assess and value the damages sustained by Jane White, from the violence of the mob of Baltimore, committed on the house in Charles-street, of which she was proprietor, during the riots in the said city in the month of July, eighteen hundred and twelve, and shall assess and value the damages sustained by Alexander Contee Hanson and Jacob Wagner, esquires, from the violence of the mob aforesaid, in destroying the printing office of the *Federal Republican*, in Gay-street, and their furniture and other property in Charles-street, during the riots in said city in June and July, eighteen hundred and twelve; and that the said commissioners shall make return under their hands and seals, of their valuation of damages aforesaid, to the mayor and city council of Baltimore, whose duty it shall be to pay and satisfy the same out of funds to be raised under the taxes authorised by law, before any other application thereof; and in case of the refusal or neglect of the said mayor and city council to pay, or cause to be paid, out of the funds so to be raised, the damages aforesaid, to the respective parties entitled to the same, their legal representatives or assigns, in that case the said mayor and members of the said city council, shall be liable, in their individual capacities, jointly or severally, to be sued by the respective parties aggrieved, in an action for money had and received, and a recovery may be had against them personally for the damages respectively assessed and valued as aforesaid.

The yeas and nays being required, appeared as follow:

AFFIRMATIVE.—Messrs. Plater, Millard, Causin, Blackiston, Boyer, Jervis Spencer, Hands, Brown, Tansy, Turner, Stonestreet, Ford, Parnham, Rogerson, Cottman, Waller, Long, Stewart, Griffith, Tootle, Hogg, R. Evans, F. M. Hall, Somervell, Callis, Wilson, Quinton, Handy, J. Thomas, Delaplaine, J. H. Thomas, Potter, Jones, Kilgour, Crabb, Hillcary, Robinett, M'Colloh, Howard—39,

NEGATIVE.—Messrs. Dorsey, Sellman, Bolt, W. Hall, Blake, Randall, Harryman, Warner, Stansbury, Bennett, Martin, Jona. Spencer, S Stevens Bayly, Lusby, Le Compte, J. R. Evans, Claude, Duvall, Burges, Wright, Forwood (of Wm.) Forwood (of Jacob) Maulsby, Saulsbury, Culbreth, Willis, Barney, Donaldson, Tilghman, Mason, Kershner, Gaeby—33.

So it was resolved in the affirmative. Mr. *Donaldson* then moved that the further consideration of the bill be referred to the next general assembly, which was carried—ayes 36, nays 35.

*Tuesday Jan.* 25.—Mr. John H. Thomas, from the committee delivers the following report and address:

THE COMMITTEE

Appointed on that part of the communication of the Executive of this state, "which relates to the defenceless and unprotected situation in which the state has been left by the general government, the calamities of the war, and the means of defence," beg leave to report,—That in obedience to the order of instructions to them passed by the house, and in the spirit of the said instructions, the committee have prepared an address to the congress and president of the United States, from this house, in behalf of the people of Maryland, which is herewith respectfully submitted for consideration, together with the following resolution:

*Resolved*, That the honorable the speaker of this house be, and he is hereby requested, to cause three copies of the following address to be made out, to be signed by the speaker, in behalf of the house of delegates of Maryland, and attested by the clerk; that the speaker transmit one copy thereof to a member of the senate of the United States from this state, requesting him, in behalf of this house, to present the same to that body; that he transmit another copy thereof to a member of the house of representatives of the United States, from this state, requesting him in behalf of this house, to present the same to that body; and that he transmit another copy thereof to the said members jointly, requesting them as a deputation in behalf of this house, to pre-

sent the same to the president of the United States; and likewise requesting them to receive any answer which may be returned thereto, to be forwarded to the speaker, who is hereby authorised, at his discretion, in case the session shall have closed before such answer is communicated, to cause the same to be published for the information of the good people of this state. By order,

LOUIS GASSAWAY, Clk.

*To his excellency the president of the United States; and to the honorable senate, and the honorable the house of representatives of the United States, in congress assembled:*

The house of delegates of the state of Maryland, immediately representing the interests and feelings of the people of the state, are impelled by urgent impressions of public duty, to address the constituted authorities of the union, on the awful condition of national affairs, and the exposed and defenceless situation in which the state of Maryland has been hitherto left by the general government, under the impending calamities of war.

The principles on which the national compact was founded, are too recent in the recollection of the American people to require the aid of illustration at this period.—It is well known, that the weakness and incapacity of the old confederation, to afford the means of safety and protection, to the several members of the confederacy, produced a prevailing sense of the necessity of some more efficient form of government, invested with adequate powers to provide for the common defence and promote the general welfare. As an important concern of the general welfare, it was also anticipated, with confidence, that under this form of government, the just interests of commerce, connected as it is with the agricultural interest and other occupations of an industrious community, would be faithfully and effectually preserved. To this reasonable hope and expectation, we are chiefly to ascribe the sacrifices and concessions made by the navigating states, and more especially by our patriotic brethren of New-England, in procuring the adoption of the federal constitution. The state of Maryland, sincerely concurred in the ratification of that instrument; but her wise men, who advocated the new system, it is presumed, would have been anxiously perplexed, if they could have foreseen that thisgovernment would prove, in its operation, no less incompetent or unavailing for the purposes of common defence, than the confederation which preceded it; while on the other hand, it might become in its course of policy, the destroyer, instead of the protector of commerce—the inflictor of intense suffering, instead of being the benign guardian of the public security and happiness.

More than nineteen months have now elapsed since congress declared war against England. There is reason to believe, that a much longer period has gone by, since this fatal measure was first contemplated. We would ask, whether there is any portion of the union with the exception of Long Island, more open and liable to the ravages of a maritime foe, than the state of Maryland? And situated as it is, with the seat of the national government on its confines, so acceptable to a hostile force—is there any part of the continent, which it could have been supposed would more obviously attract the active operations of an enemy, designing to harrass the physical strength of the country, and to distract and frustrate the views of its rulers in their avowed plan of foreign conquest? Is there, in short any section of the common league which, from various considerations of prudence and of duty, the general government was more peculiarly bound to guard by ample and vigilant preparation for defence?

We are next constrained to enquire, what has there then been done or provided by the national government, for the security of a state so precariously circumstanced, against the visitation of a war, which that government had chosen its own time to declare, and which appears to have been familiar to its contemplation for a considerable series of time before it was actually declared?

If we do not say how little has been attempted for our protection, and in what way even that little has been rendered, it is because we wish not to publish our own humiliation to the world, and we would not betray the extent of our weakness to the enemy. It is, because we are desirous of preserving a becoming measure of respect to the national authorities—while in the exercise of a constitutional privilege we perform a requisite duty to our constituents, the freemen of Maryland, by making a frank representation of their complaints and dissatisfaction.—The mere shew of resistance, heretofore exhibited, having in fact rather tended to provoke than repel attack, the people on the exposed points of our shores, despairing, after what has passed, of obtaining a sufficient defence from the government, are becoming in some parts of the country, inclined almost to regard with fear, the approach of those semblances of military aid, which are occasionally sent among them—because they have perceived that this casual parade, instead of giving them assistance in the hour of danger, rather invites destruction from an exasperated and unresisted foe, whose fury it is possible they might sometimes escape unnoticed. And yet, the history of the revolution will attest, that in the most trying times of the republic, the spirit of Maryland has never been surpassed in valor, fortitude and fidelity.

If the war is to be continued, the miseries we have already endured may be tender mercies in comparison with those which are to be apprehended. A character of ferocity, unknown to the civilized usages of modern warfare, seems about to be given to this contest. The government of the United States has distinctly announced its purpose of protecting the subjects of the enemy, taken in arms, while in the act of invading the territories of the power under whose dominions they were born, and to whom their allegiance was naturally due; and this protection to British traitors, is to be accomplished by a system of sanguinary retaliation, which in its consequences may occasion the sacrifice of every American officer and soldier, the ignominious death of all our unfortunate countrymen, who are now held as prisoners and hostages by the enemy. In addition to this cause of apprehension, the example of useless barbarity displayed under the command of the general of the forces that lately abandoned fort George, in Upper Canada, in committing to the flames the whole town of Newark, of which our army had been in the undisputed possession, may, in the course of a few months, bring upon our coast the most direful vengeance which a powerful and enraged enemy can inflict, and may subject our towns and villages, and farms and habitations bordering on the water, to all the horrors of the most ferocious and extensive desolation.

We therefore earnestly entreat the national authorities to take these circumstances into immediate and serious consideration; to provide the means and munitions of defence; and to furnish a real-efficient regular force, to be stationed in the state, so as to save its property and its citizens from the worst evils and ravages of unrelenting hostility. The efforts of the state itself, for its own protection have been already exerted in a manner necessarily burdensome and vexatious to its people; and the state has

been compelled in the course of the last year, to seek resources on its own credit, for defraying the expenses of defensive measures, which it might well have been hoped, would have been seasonably and adequately prepared under the superintending care and providence of the government of the union. The aggregate amount of expenses thus incurred is not now ascertained, as the accounts are not all yet liquidated, and there are vouchers still to be procured. But we trust, that provision will be made by congress for re-imbursing these expenses, and others of a similar nature, which may be unavoidably incurred; and that as soon as a proper estimate can be exhibited, the heavy advances of money which the state may have been obliged to make, for purposes especially enjoined on the general government by the terms of the federal constitution, will be promptly and fully remunerated.

Having briefly urged these considerations, there remains an indispensable obligation on this house, in compliance with the known wishes and sentiments of their constituents, to submit an earnest petition to the president and congress of the United States, for a speedy restoration of the blessings of peace, and an essential change in that mistaken policy, whose effects are now so unhappily to be seen in the privations and afflictions of the land. It might be deemed intrusive, and it would be altogether irksome, to enter now into a minute examination of the causes of the present war. It is believed to be, at thies time, sufficiently ascertained, that the flagrant deception of the French government, practised in relation to the pretended repeal of its predatory edicts, was chiefly instrumental in producing a state of things in this country, which unfortunately led us into the existing hostilities with England. The documents before congress during the last and preceding sessions, it is presumed, have conclusively shewn, that the alledged repeal of the French edicts, by the letter of the fifth August, 1810, was only a conditional proposition as its terms implied; and that there was no authentic form of a repeal of an earlier date than the decree of the 28th April, 1811, which is expressly bottomed on the previous compliance of our government with one of the conditions of the letter referred to, in enforcing the non-intercourse against England, by the act of March, 1811. This act was in conformity with the tenor of the president's proclamation of the 2d November, 1810, declaring "*the fact*," that on that day the French decrees were repealed, so that they ceased to violate our neutral commerce. It has become abundantly apparent, since the date of that proclamation, that in point of *fact*, the French violations of our commerce, were continued after that date; as in point of *form*, it has also appeared, that there was no absolute repeal until nearly six months subsequent to the issuing of the proclamation; and that this formal repeal, which, if timely used, might have produced the revocation of the British orders, so as to prevent the present war, was not officially announced to our government, or to its minister at Paris, until more than a twelve-month after the period at which it is dated. In the report of the secretary of state made to congress on this subject at the last session, it is stated, "that the light, in which this transaction was viewed by this government, was communicated to Mr. Barlow in the letter of the 14th July, 1812, with a view to the requisite explanation." The notice taken of the subject in the letter of the secretary of state, to Mr. Barlow, of the 14th July, 1812, thus cited, is to be found at the close of the letter, which concludes in these words: "On the French decree of the 28th of April, 1811, I shall forbear to make many observations, which have already occured, until all the circumstances connected with it are better understood. The president approves your effort to obtain a copy of that decree, as he does the communication of it afterwards to Mr. Russell."

It is possible that Mr. Barlow might not have understood this paragraph as an instruction, "with a view to the requisite explanation." But as the report of the secretary further stated, that Mr. Barlow's successor had been "instructed to demand of the French government an explanation," the people of the United States might have been induced to expect that this important matter would be fully developed; and we have therefore seen with serious concern, by the late message from the president to congress, "that the views of the French government have received no elucidation since the close of the last session." This concern is heightened by the recollection that for a series of years past, an unhappy mystery has hung over the communications with that same government, whose public outrages have violated all the rights of this nation, and have heaped upon those who administer its affairs every species of contumely and insult.

A review of these circumstances, so remarkably characteristic of French fraud, furnishes, in the opinion of this house, strong additional inducements for terminating this disastrous contest with England. As soon indeed, as the foul artifice of the French ruler was disclosed, and more especially after the revocation of the British orders was made known, we should have deemed it fortunate, if the government had availed itself of the propitious opportunity of reinstating the relations of peace with the power with whom we had been thus embroiled. The claim of impressment, which has been so much exaggerated, but which was never deemed of itself a substantative cause of war, has been heretofore considered susceptible of satisfactory arrangement in the judgment of both the commissioners, who were selected by the president, then in office, to conduct the negociation with the English ministry in the year 1806, and who now occupy high stations in the administration. Believing that this, and all other causes of difference, might be accommodated between the two countries, provided the agents on both sides were actuated by a sincere wish for a just accommodation, we cannot but feel anxious for an event which would relieve the people from the pressure of those burdens, and losses, and dangers, that are now to be encountered, without the prospect of attaining a single object of national benefit.

From the progress and occurrences of the war, as far as it has been conducted, it must be obvious, that the conquest of the Canadian provinces is not to be effected without an immense effusion of blood and treasure. The conquest, if effected, we should be inclined to regard as worse than a doubtful boon. We want no extension of territorial limits; and the genius of our republican constitution is not suited to offensive wars of ambition and aggrandizement. A war of this nature is calculated to introduce doctrines, and habits, and evil passions, which are inimical and dangerous, to the liberties and morals of the nation. To carry it on, the nation has been subjected to various impositions, which will be more oppressive, because all the resources of trade are suppressed, and agricultural enterprize is deprived of its reward. The taxes are multiplied, while the means of payment are diminished, and the ordinary comforts and necessaries of life are greatly enhanced on the consumer. To carry on the war, it has been thought advisable entirely to cut off commerce; and the bitter tribulation of the Boston port bill of 1774 is again to be realized on an infinitely more extended

scale. Upon the poor gleanings and remnant of trade the more precious for being all that was left, the complicated rigors of the embargo act lately passed, will complete with an unsparing severity the work of destruction, which British cruizers could not accomplish.

The people whom we represent, are suffering severely under the operation of this baleful policy, against which we would solemnly remonstrate. But when we cast our eyes further, and look to its effects in another part of the continent; when we consider the still greater miseries of the people of New-England, accustomed to live on navigation, and now deprived of the ordinary means of subsistence; when we reflect also on the aggravated causes of disgust to that invaluable people, who perceive that, by the formation of new states out of the limits of our ancient territory, they must necessarily lose all share of influence in the national councils, where other interests, as they suppose, have already obtained an injurious ascendancy; when we meditate on the possible tendency of these irritations, added to all the difficulties of the immediate and general distress, although we have full confidence in the faithful integrity of our eastern brethern, yet, as they are men, we are free to confess, these reflections render us deeply and doubly solicitous, that peace should be restored, without delay, for the relief of the people and the salvation of the Union.

Convinced as we have been, that the war might have been avoided, and that peace might be restored, without dishonor to the country, the present conjuncture seems to us highly favorable for a reconciliation with England, if it is fairly and honestly desired. The late auspicious events on the continent of Europe, have humbled the power of the proud oppressor of the earth. With the malignity of the spirit of evil, he had stood on his "bad eminence," the scourge of the world, the disseminator of bloody discord and dissention among the nations. Wherever his arms or his arts could reach, he has been the fell disturber of the tranquility and happiness of every region. If the sceptre of the tyrant is not irreparably broken, we may at least hope, that limits are permanently set to his inordinate sway. We trust that "the wicked shall now cease from troubling;" and viewing him as the atrocious author of all the wanton and dreadful strife, which pervades the old and new world, we do hope that his tremendous capacity for mischief being terminated or restrained, no barrier will remain against a renewal of friendly intercourse between those powers, that have been opposed to each other in battle array by the violence and frauds of the arch-enemy of human liberty. We would therefore ardently implore the constituted authorities of this nation, that the negociations about to be instituted may be carried on with a just and earnest intention of bringing them to an amicable result; that the evils of this unprofitable and pernicious war may not be protracted; and that peace with all its blessings and advantages, may soon be permitted to dawn again on our shores, to cheer the gloom of disquietude that now exists, and to dispel the darker terrors of a tempest, which threatens, in its continuance, to consign the dearest hopes, the harmony and the liberties of this united empire, to irretrievable destruction.

Read and ordered to be printed and made the order of the day for Friday; when it was adopted.

PROMPTITUDE.—The president of the U. States on the 27th and 28th ult. signed the bills for filling the ranks of the regular army, &c. *see page* 373.

# Proceedings of Congress.

SENATE.

*Monday, Jan.* 31.—The senate resumed the consideration of the bill in addition to the act allowing a bounty to the owners, officers and crews of privateers; which was amended and ordered to be engrossed for a third reading.

[This bill was passed on Tuesday—it appropriates $200,000 for the purpose of paying a bounty of $100 for every prisoner captured on the high seas and brought into port by private armed vessels.]

The senate resumed the consideration of the bill to prohibit the importation of certain (British) articles.

Mr. Giles moved that the bill be recommitted for further amendment—Negatived, 15 to 13.

The blanks in the bill having been filled, it was read the third time and passed—Yeas 16, nays 12, as follows:

*For the passage of the bill*—Messrs. Anderson, Bibb of Geo. Bledsoe, Campbell, Chace, Condit, Gaillard, Giles, Howell, Lacock, Leib, Morrow, Taylor, Turner, Varnum, Worthington.

*Against its passage*—Messrs. Daggart, Dana, Fromentin, German, Gilman, Goldsborough, Gore, Horsey, Hunter, King, Lambert, Mason.

HOUSE OF REPRESENTATIVES.

*Thursday, Jan.* 27.—Much business of a private or local nature was presented and disposed of—

Mr. King (of Mass.) after some remarks introduced the following resolutions;

1. *Resolved*, That the representatives of the people in congress assembled, cannot consistently with the provisions of the constitution and the nature of our government, refuse to consider any resolution offered by any one of said representatives. Therefore,

2. *Resolved*, That the refusal by the majority in this house to consider the resolution offered by one of the representatives of the people of Massachusetts, on Friday the 14th of Jan. 1814, asserting the right of the people and of the respective states to a free state coasting trade, interdicted by an act of congress, was an infringement of the right of the representative, and of the privilege of a member of this house, to be heard on this floor in behalf of his fellow citizens, and an injury to the people. And therefore.

3. *Resolved*, That the decision of the majority of this house, not to consider the resolutions before named, offered by a member on Friday the 14th inst. on the subject of the state coasting trade, be and the same is hereby rescinded.

And to provide against such abuse in future.

5. *Resolved*, That the following be added to the rules and orders of this house, viz: That every original motion or resolution in writing, offered by any member (the nature, reason, and object being first stated by him, if he sees fit) shall be immediately received by the clerk and read, and thereupon be before the house for consideration, to be disposed of as the house may judge right. And such resolutions and motions shall be in order, and be called for by the speaker, immediately after reports from select committees; and if any question of priority arise, it shall be decided in the order of states, as in the case of petitions.

A question having been raised whether these resolves did not come under the rule which requires propositions to amend the rules of the house to lie on the table one day before taken up,

The speaker decided that the *three first* resolutions were not of that character.

The yeas and nays having been called on the consideration of these resolutions—

Mr. Culpepper of N. C. called for a division of the question, so as to take it first on the first resolve—

He said he would vote for considering the first, but he could not vote for considering the others.

The question on proceeding to consider the first resolve was decided in the negative by yeas and nays.

| | |
|---|---|
| For consideration | 43 |
| Against it | 92 |

The speaker having stated the question on the 2d and 3d resolves—

Mr. Murfree of N. C. enquired whether the speaker was required, by the rules or practice of the house, to put the question of consideration on every motion, no matter how preposterous, that should be proposed. Was such a motion as these resolves embraced in order?

The *speaker* replied, that however he might regret the matter and language of this motion there was no discretion reposed in him as to the propriety of putting the question on it. The motion was therefore in order.

Mr. Gaston of N. C. required a division of this question:

And the question was accordingly taken on the consideration of the 2d resolution, and decided in the negative.

| | |
|---|---|
| For consideration | 17 |
| Against it | 115 |

The question was then taken on the consideration of the 3d resolution, and decided in the negative as follows:

| | |
|---|---|
| For consideration | 21 |
| Against it | 102 |

So the house resolved that it would not now consider either of the three first resolutions offered by Mr. King. The other lies on the table for one day according to a rule of the house.

The house then resolved itself into a committee of the whole on the bill to raise three regiments of riflemen. After considerable debate, the committee rose and reported the bill to the house.

*Friday, January* 28.—After the usual minor business, the house proceeded to consider the bill for raising three rifle regiments. Much debate was had, but at length a motion offered by Mr. *Ridgely*, being so modified as to authorise the *conversion* of five regiments into riflemen, instead of *raising* three, prevailed—97 to 55; and the bill being further amended on motion of Mr. *Rich*, so as to leave it discretionary with the president to use the authority vested therein, was, after the usual formalities, passed.

On motion of Mr. *Jackson* of Va. the house resolved itself into a committee of the whole on the state of the union, Mr. *Pitkin* of Con. in the chair; and took up Mr. Jackson's motion to amend the constitution, so as to vest in congress the power to lay a duty on exports, to make roads and canals, and to establish a national bank, &c. After Mr. Jackson had explained the reasons and motives that induced him to introduce the motion, the committee rose, had leave to sit again, and the house adjourned until Monday.

[A bill granting the petition of *Paul Cuffe* has passed both houses of congress.]

[The following are the names of the members of congress who voted against Mr. Findley's motion of thanks to the late speaker, Mr. Clay, viz. Messrs. Hanson, Grosvenor, Pickering, Davenport, Gaston, Lewis, Pearson, Pitkin and Sheffey.]

*Monday, Jan.* 31.—Many petitions were presented and referred.

The speaker laid before the house the following report from the secretary of war:

*War Department, January* 28.

SIR—Conformably to a resolution of the honorable the house of representatives of the 31st July last, requiring the secretary of war to lay before the house a view of the unsettled accounts in the offices of the accountant of this department, and of the paymaster of the army, and to suggest measures to secure the accountability of the public agents, and to prevent the accumulation of unsettled accounts connected with the war department—I have to report that a satisfactory view of the unsettled accounts in either of these offices has not been and (agreeably to the enclosed statements of the paymaster of the army and of the accountant) cannot be rendered by them within any definitive period of time.

The better to secure the accountability of public agents, and to prevent the accumulation of unsettled accounts, I have the honor to suggest—1st. That an office be established, in which all accounts, whether in specie or in kind, connected with the military and Indian departments, shall be adjusted, accredited and settled, conformably to rules and regulations to be prescribed by the treasury department: and,

2d. That to render efficient the pay department of the army, which is now best adapted to a small and peace establishment—and to secure the regular and punctual payment of the troops, a new organization be adopted, to consist of a paymaster-general of the armies of the United States with such deputy, district and assistant paymasters, as the exigencies of the service may require—neither of whom shall belong to the line of the army.

With great respect, &c.

JOHN ARMSTRONG.

*The Speaker of the House of Representatives.*

The report and documents were referred to the committee of ways and means.

After some time spent in considering the bill to allow further time of payment to the purchasers of public lands, the house resolved itself into a committee of the whole on Mr. *Jackson's* proposition to amend the constitution of the United States.

No disposition appearing to debate the same—

The committee immediately rose, and reported their agreement to said resolution, and the house took up the report.

The question having been stated on concurring with the committee in their agreement to the first member of said resolution (granting to congress the power of taxing exports)

After some remarks from several members, the further consideration of the resolution was postponed until Monday next.

On motion of Mr. *Pickens* of N. C. the house took up the report of the committee of the whole on his proposition to amend the constitution, so as to establish an uniform mode of election, by districts, of the electors of president and vice-president of the U. States.

Messrs. Wright, Yancey and Rich advocated, and Messrs. Grosvenor and Ward (of Mass.) opposed the resolution.

The question on concurrence with the committee of the whole in their disagreement to the amendment, was decided as follows:

*For concurrence.*

YEAS—Messrs. Alexander, Anderson, Avery, Bard, Baylies, of Massachusetts, Bigelow, Boyd, Bradbury, Bradley, Brigham, Brown, Burwell, Champion, Cilley, Clopton, Comstock, Cooper, Cox, Crawford, Davenport, Davis, of Penn. Desnoyelles, Dewey, Earle, Ely, Epps, Evans, Farrow, Findley, Fisk, of N. Y. Forsyth, Geddes, Glasgow, Goodwyn, Grosvenor, Hall, Hanson, Hasbrouck, Hopkins of N. Y. Howell, Hufty, Ingersoll, Ingham, Kerr, Kershaw, Kilbourn, Law, Lefferts, Lovett, Lyle, M'Coy, Moffit, Mosely, Markell, Nelson, Oakley, Pickering, Piper, Pitkin, Pleasants, Post, Potter, John Reed, William Reed, Rea, of Penn. Roberts, Ruggles, Sherwood, Smith, of Penn. Sturges, Tallmadge, Tannehill, Taylor, Telfair, Thompson, Udree, Vose, Ward, of Mass. Webster, Wheaton, Wilcox, Wilson, of Mass. Winter—83.

*Against concurrence.*

NAYS—Messrs. Alston, Archer, Barnett, Bayly, of Virg. Breck-

enridge, Caperton, Caldwell, Calhoun, Chappell, Clark, Condit, Conard, Creighton, Crouch, Culpeper, Davis, of Mass. Desha, Forney, Franklin, Gaston, Gholson, Goldsborough, Gourdin, Grundy, Harris, Hawes, Hubbard, Humphreys, Hungerford, Irving of N. Y. Jackson, of R. I. Jackson, of Virg. Kennedy, Kent, of N. Y. Kent, of Md. King, of Mass. King, of N. C. Lewis, Lowndes, Macon, McKim, M'Lean, Montgomery, Moore, Murfree, Newton, Ormsby, Parker, Pearson, Pickens, Rhea, of Ten. Rich, Robertson, Sage, Sheffey, Skinner, Stanford, Taggart, White, Williams, Wilson, of Penn. Wright, Yancey—64.

So the house resolved to concur in the disagreement to Mr. Pickens' resolution.

Mr. *Hall* of Geo. who voted in the affirmative, rose to move a reconsideration, with a view to endeavor to obtain an amendment which would make it acceptable to him, viz: to make the election uniform by general ticket, instead of by districts;

But before the question was put on this motion the house adjourned.

Mr. Eppes, from the committee of ways and means reported a bill to authorize a loan of millions of dollars.

*Tuesday, Feb.* 1.—The unfinished business of yesterday being called up—

Mr. *Hall* of Geo. withdrew the motion he made before the house yesterday adjourned, to consider the vote on Mr. Pickens' resolutions. He said he was informed it was in the contemplation of some gentleman to originate a new and distinct motion embracing the object he had in view.

Mr. Macon offered a resolution to close the session on the 7th of March. Laid on the table.

[A good deal of other business was done, not sufficiently interesting, either as *news* or for *record*, to notice in this work.]

*Wednesday, Feb.* 2.—Mr. Goldsborough presented the remonstrance of the house of delegates of the state of Maryland—(see page 375,) which was read. Mr. G. moved that it should lie on the table and be printed.

Nearly the whole day was spent in discussing and speaking of this article. The result was, that the house refused to print it—ayes 68, nays 98.

A message was received from the president of the United States, communicating a report of the secretary of war, made in pursuance of a resolution of the house of representatives of the 31st Dec. calling upon the president for information relative to the failure of the American arms on the northern frontier.

This report comprises simply an immense mass of documents of about 600 pages, embracing he correspondence of the secretary of war with generals Dearborn, Wilkinson, Hampton, Lewis, Harrison, M'Clure and other military commanders, and various correspondence between those and other officers of the United States army. The message and documents were ordered to lie on the table and be printed.

# Events of the War.

## MISCELLANEOUS.

Com. Perry.—We prepared for the press some account of the very splended entertainment given to com. *Perry*, in *Baltimore*, on Tuesday last, which *accident* compels us to postpone for the next paper.

Our Navy. The British generously metamorphosed our *frigates* into *ships of the line*, some time ago—and now by a mere dash of the pen, build for us whole squadrons of frigates—take the following in evidence, from a late London paper:

"About a week after the arrival of Sir John B. Warren, in the *St. Domingo* with the *Poictiers*, it was known that commodore Rodgers with SIX FRIGATES, was in Boston harbor; and it became a matter of extreme regret and disappointment that a dash was not made against them; the crews must have burnt them or given them up!"

Specie. A quantity of specie, about $140,000, was boxed up in *New-York*, some days ago, and forwarded for *Boston*, ostensibly for the "New-England Bank." Mr. Gelston, collector of the port of New-York, seized it, under a clause of the embargo law, had it brought back and deposited in the Manhattan Bank. When the collector shall be satisfied that the money was really destined for *Boston* he will, doubtless, restore it. In the mean time the stockholders of the New-England Bank have petitioned the legislature of Massachusetts to demand of the president of the United States, the restitution of the money illegally seized by the collector of the port of New-York, and the punishment of the offender. The petition has been committed; and the committee to whom the same was refered, commenting severely on the act of Mr. Gelston, have directed the governor to express to the president of the United States, the great sensibility which the legislature of Massachusetts feels at the outrage; its expectance that the money will be immediately restored, &c. and that the president will, moreover, as an "atonement" to the injured citizens of that commonwealth, remove the collector from office. The report and resolutions passed both houses.

Cash. The *Albany Argus says*,—"Such has been the demand for specie in this city, for the *Canada market*, and for the banks, that *ten per cent.* premium has been paid for it, in exchange for paper."

We are satisfied that mighty efforts will be made to supply the enemy with this *needful* article; but would hope the vigilance of our officers may render the *commerce* too hazardous. *British* government bills are at a great discount in *Canada*, as, indeed, they are in all parts of *Europe* and *America*, and the bait is tempting.

Smuggling.—Though we regret there is reason to believe that a good deal of this business done, we are happy to observe that valuable seizures are frequently made—perhaps they may check the *commerce*.

"Commerce."—A smuggler to the eastward, on hearing of the tight provisions of the embargo law, set fire to his vessel, in great rage at the "destroyers of commerce," and she was consumed. Have the smugglers and *neutrals* determined to—*give up the ship?* Goods to the value of 25 or $30,000 were lately seized near *Portland*, Maine, but the gang of traitors made their escape.

Manufactories.—The eastern papers teem with notices of new manufactories. They increase very rapidly in *New-Hampshire* and *Massachusetts*; and must and will bring about a *home* feeling, too seldom an inmate of the counting house.

The heroes of Erie.—Commodore *Perry* publicly acknowledges in the National Intelligencer of Monday last, the receipt of $51 55 from the Baptist Society of Fredericksburg, (Va.) and $200 from James De Wolf, Esq. of R. I. as donations to the brave men who were wounded in the battle on *Erie*.

Commodore Perry partook of a splendid entertainment provided in honor of him, at Washington city, on the 25th ult. Several of the high officers of state, and many of the members of congress, with a great number of the most distinguished citizens were present. The sentiments delivered, after the cloth was removed, were full of pith and patriotism: take the following as examples—

The United States of America—Rich in resources and dignified in policy—attached to peace—undaunted in war.

The principles of the declaration of our indepen-

dence—Withered be the apostate hand that would abandon them.

Our rights—to be secured by negociation if they can—By cannon law if they must.

The freedom of the seas—America acknowledges no maritime right paramount to her own.

The Union—A bulwark which denies menace and defies attack.

*By Henry Clay, Esq.*—The policy which looks to peace as the end of war—and to the war as the means of peace.

*By the speaker of the house of representatives*—"Don't give up the ship."

THE ROAD TO PEACE.—In the senate of the United States, when the bill for increasing the bounty to recruits, &c. was before that house, gen. *Smith*, of Maryland, concluded a very pithy speech with the following pungent remarks—"In fine, my opinion is, that to ensure an honorable peace, we ought to be prepared by land and sea to carry on the war with effect. Fill your army, garrison your large cities, and in addition to your ships of war, purchase and put to sea thirty fast sailing schooners to depredate on the commerce of your enemy; *then your envoys will be respected.* Neglect or refuse to do so, and the enemy will impose his own terms.

NIAGARA FRONTIER—The assembly of New-York, by a unanimous vote, granted $50,000 for the relief of the inhabitants of the Niagara frontier. The corporation of the city of New-York, voted $3,000, and that of Albany gave 1000. ☞ The vote of the assembly has been indefinitely postponed by the senate.

FROM THE LAKES we have nothing particular since our last. Capt. *Elliott* seems well prepared for the enemy at Erie; and the militia collected there are full of spirit. They are stated at 1950 men, under gen. Mead. The lake was *open* on the 17th inst. and will probably remain so during the winter, which is considered fortunate for us. A fellow has been taken up at *Erie* as a spy; he was recognized as one of the enemy who was at the burning of *Buffalo*, and is in confinement.

PLATTSBURG—The following is general *Wilkinson's* reply to the application of the magistrates and citizens of Plattsburg for protection against an expected incursion of the enemy—it does honor to his head and heart:

"MALONE, Jan. 5th, 1814.

"*Gentlemen*—I received yesterday, at 1 o'clock, P. M. your address of the 2nd inst. and within an hour after, the courier was on his return, with such orders and instructions as may, I trust, place you in safety, against any attack from the enemy, until I can reinforce you with a column of men, the front of which will be with you to-morrow, and if my convalescence should continue, I shall follow a day or two after.

Devoted to the service of our common country, next to its independence and honor, it is a duty, as pleasing to me as it is solemn to afford all the protection in the power of the troops I command, to the persons and property of my fellow citizens.

With high consideration and respect, I have the honor to be, gentlemen, your obedient servant.

JAMES WILKINSON.

FESTIVALS.—There have been several festivals in the United States in honor of "*Alexander the Deliverer*"—but *Alexander the Mediator* has not been toasted. How is it?

PUBLIC PRISONS.—It is among the happy peculiarities of the United States, that their government has no *public prison*. Every other nation in the [*civilized*] world has its *bastiles, towers, castles*, &c. which open and shut at the command of their administration. The several states composing our republic have, we believe, unanimously, by law permitted the use of their common jails for the purpose of confining the prisoners of the United states. It is needless to remark, that thus circumstanced, our government *cannot* inflict in secret those punishments and privations which give horror to the prisons of *Europe*.

The late confinement of certain *British* prisoners, held in retaliation, in the jail at Worcester, *Massachusetts*, has excited great sensibility among the leading men in that state.——In the present temper of the majority of the legislature, it is probable the law of 1798, (which granted the use of the jails of that state to the United States,) will be repealed. Indeed, a bill was brought forward ten or twelve days ago, *explanatory* of that law, and directing the sheriffs "to discharge the *prisoners of war*" in ten days after the passage thereof unless previously discharged by the United States. It is not our design to speak of the motives that urge this procedure, nor extol that sensibility which feels for the enemy—but to call the public attention to the *effect* it may have. As society is situated, the government of the United States *must* have prisons; if the states refuse the use of their *common jails*, an absolute necessity exists for the erection of prisons, to be controlled only by the *officers of the United States*, whose doors shall open and shut *by order of the president*, or *judges of the United States' courts*. In almost every state, certain pieces of ground have been ceded to the United States; in *Massachusetts* there are several; and on each of them we may see, a few years hence, *a prison of the United States*. Let the people reflect a moment and see the danger resulting from the headlong proceedings of infuriated party. If the good sense of *Massachusetts* shall not reject this opposition to the general government, the present session of congress will hardly close without the passage of a law for erecting a *government prison* within the state of *Massachusetts*.

BRITISH "MODERATION"—*and very "liberty" loving "and religious."—From a* Halifax *paper, Jan.* 8—"In contemplating the effects that are likely to recur from the overthrow of Napoleon—the inhabitants of this and our sister provinces cannot fail to be gratified at the predicament in which his pander Madison is placed; that monster with all the vices which blacken the character of the French ruler, without a scruple of the shadow even of virtue to throw into the opposite scale is now at the mercy (thanks to Almighty justice) of the nation he vainly and impiously endeavored to destroy, and with it the freedom and happiness of the world—That Great Britain is entitled to every *assistance* she may deem it proper to demand from her allies is undeniable; that they will grant all she wishes is equally certain—what then has America to hope? rather what has she not to dread! Destitute as she is of a single excuse to extenuate her monstrous guilt, of a single claim to mitigate the punishment that awaits her manifold crimes; greatly have we cause to rejoice, but not without a mixture of fear, judging from former events, that this opportunity of humbling an unnatural and unprincipled enemy, and preventing a repetition of his base designs, may also be lost.—It is not the wish, perhaps would not be the interest of G. Britain, *to repossess her rebellious colonies*, but a *portion given to her allies*, would at once secure those she wishes to retain, and do good to the Americans in spite of themselves, BY GIVING THEM A GOVERNMENT!!"

"GOODY GRACIOUS!"

LIEUT. WM. W. SMITH. It is with deep regret we inform our readers that the account published in our last paper of the death of this young hero has been

confirmed by a letter which his brother, the postmaster of this city, has just received from general Wilkinson.

The anxiety which has been so generally manifested to ascertain the fate of lieutenant Smith, induced us request an extract of the letter for publication, which has been furnished, and is in these words:

"Your gallant brother is no more—he died on the 2d of December. He was wounded through the hips, bore his sufferings with vast firmness, and met death with a smile. He begged that his regimental coat might be buried with him under his head. It is a fact that so conspicuous was this youth's gallantry and so mortal his fire, that a British subaltern fired three shot at him, and gave two or three platoons the same direction."

The death of this young officer may be considered a public misfortune; for like our lamented fellow-citizen *Pike*, he received a military education, and like him possessed all the qualifications requisite to form an able commander. Had it pleased Heaven to spare his life, he would no doubt in due time have held a distinguished rank in the army; but he died at the age of eighteen. Sacred however be the will of Providence. His death has been a glorious one, and his name will be handed down to posterity with honor.——*Fredonian.*

*By his excellency lieutenant general sir George Prevost, Baronet, commander of his majesty's forces in North America, &c. &c. &c.*

To the inhabitants of his majesty's provinces in North America.

A PROCLAMATION.

The complete success which has attended his majesty's arms on the Niagara frontier, having placed in our possession the whole of the enemy's posts on that line, it became a matter of imperious duty, to retaliate on America, the miseries which the unfortunate inhabitants of Newark had been made to suffer upon the evacuation of fort George.

The villages of Lewiston, Black Rock, and Buffalo, have accordingly been burned.

At the same time that his excellency the commander of the forces sincerely deprecates this mode of warfare, he trusts, that it will be sufficient to call the attention of every candid and impartial person, both amongst ourselves and the enemy, to the circumstances from which it has arisen, to satisfy them that this departure from the established usages of war has originated with America herself, and that to her alone, are justly chargeable, all the awful and unhappy consequences which have hitherto flowed, and are likely to result from it.

It is not necessary to advert to the conduct of the troops employed on the American coast, in conjunction with his majesty's squadron, under admiral sir John B. Warren, since they were neither within the command, nor subject to the control of his excellency, their acts cannot be ascribable to him, even if they wanted that justification which the circumstances which occasioned them, so amply afford.

It will be sufficient for the present purpose, and in order to mark the character of the war, as carried on upon the frontiers of these provinces, to trace the line of conduct observed by his excellency, and the troops under his command, since the commencement of hostilities, and to contrast it with that of the enemy.

The first invasion of Upper Canada took place in July, 1812, when the American forces, under brigadier general Hull, crossed over and took possession of Sandwich, where they began to manifest a disposition so different from that of a magnanimous enemy, and which they have since invariably displayed, in marking out, as objects of their peculiar resentment, the loyal subjects of his majesty, and in dooming their property to pillage and conflagration.

Various instances of this kind occurred both at Sandwich and in its neighborhood, at the very period when his majesty's standard was waving upon the fort of Michilimacinac, and affording protection to the persons and property of those who had submitted to it: Within a few weeks afterwards, the British flag was also hoisted on the fortress of Detroit, which, together with the whole of the Michigan territory, had surrendered to his majesty's arms.

Had not his excellency been actuated by sentiments far different from those which had influenced the American government, and the persons employed by it, in the wanton acts of the destruction of private property, committed during their short occupation of a part of Upper Canada, his excellency could not have failed to have availed himself of the opportunity which the undisturbed possession of the whole of the Michigan territory, afforded him of amply retaliating for the devastating system which had been pursued at Sandwich and on the Thames.

But strictly in conformity to the views and disposition of his own government, and to that liberal and magnanimous policy which it had dictated, he chose rather to forbear an imitation of the enemy's example, in the hope, that such forbearance would be duly appreciated by the government of the United States, and would produce a return to the more civilized usages of war.

The persons and property, therefore, of the inhabitants of the Michigan territory, were respected, and remain unmolested. In the winter of the following year, when the success which attended the daring and gallant enterprize against Ogdensburgh had placed that populous and flourishing village in our possession, the generosity of the British character was again conspicuous, in the scrupulous preservation of every article which could be considered as private property; such public buildings only being destroyed as were used for the accommodation of troops and for public stores.

The destruction of the defences of Ogdensburgh, and the dispersion of the enemy's force in that neighborhood, laid open the whole of their frontier on the St. Lawrence, to the incursions of his majesty's troops, and Hamilton, as well as the numerous settlements on the banks of the river, might, at any hour, had such been the disposition of his majesty's government, or of those acting under it, been plundered and laid waste.

During the course of the following summer, by the fortunate result of the enterprize against Plattsburgh, that town was for several hours in the complete possession of our troops, there not being any force in the neighborhood which could attempt a resistance. Yet even there, under circumstances of strong temptation, and when the recent example of the enemy in the wanton destruction at York, of private property, and buildings not used for military purposes, must have been fresh in the recollection of the forces employed on that occasion, and would have justified a retaliation on their part, their forbearance was strongly manifested, and the directions his excellency had given to the commander of that expedition, so scrupulously obeyed, that scarcely can another instance be shown in which during a state of war, and under similar circumstances, an enemy, so completely under the power and at the mercy of their adversaries, had so little cause of complaint.

During the course of the same summer, forts Schlosser and Black Rock, were surprized and taken by a part of the forces under the command of major-

general De Rottenburg on the Niagara frontier, at both of which places personal property was respected, and the public buildings alone were destroyed.

It was certainly matter of just and reasonable expectation, that the humane and liberal course of conduct pursued by his excellency on those different occasions, would have had its due weight on the American government, and would have led it to have abstained, in the further prosecution of the war, from any acts of wantonness or violence which could only tend unnecessarily to add to its ordinary calamities, and to bring down upon their unoffending citizens a retaliation, which, though distant, they must have known would await and certainly follow such conduct.

Undeterred, however, by his excellency's example of moderation, or by any of the consequences to be apprehended from the adoption of such barbarous measures, the American forces at fort George, acting, as there is every reason to believe, under the orders, or with the approbation of their government, for some time previous to their evacution of that fortress, under various pretensions, burned and destroyed the farm houses and buildings of many of the respectable and peaceable inhabitants of that neighborhood. But the full measure of this species of barbarity remained to be completed at a season when all its horrors might be more fully and keenly felt by those who were to become the wretched victims of it.

It will hardly be credited by those who shall hereafter read it in the page of history, that in the enlightened æra of the 19th century, and in the inclemency of a Canadian winter, the troops of a nation calling itself civilized and christian, had wantonly, and without the shadow of a pretext, forced 400 helpless women and children to quit their dwellings, and to be the mournful spectators of the conflagration and total destruction of all that belonged to them.

Yet such was the fate of Newark on the 10th of December, a day which the inhabitants of Upper Canada can never forget, and the recollection of which cannot but nerve their arms when opposed to their vindictive foe. On the night of that day, the American troops under brigadier-general M'Clure, being about to evacuate fort George, which they could no longer retain, by an act of inhumanity disgraceful to themselves and to the nation to which they belong, set fire to upwards of 150 houses, composing the beautiful village of Newark, and burned them to the ground, leaving without covering or shelter those "innocent, unfortunate and distressed inhabitants," whom that officer, by his proclamation, had previously engaged to protect.

His excellency would have ill consulted the honor of his country, and the justice due to his majesty's injured and insulted subjects, had he permitted an act of such needless cruelty to pass unpunished, or had he failed to visit, whenever the opportunity arrived, upon the inhabitants of the neighboring American frontier, the calamities thus inflicted upon those of our own.

The opportunity has occured, and a full measure of retaliation has taken place, such as it is hoped will teach the enemy to respect, in future, the laws of war and recall him to a sense of what is due to himself as well as to us.

In the further prosecution of the contest to which so extraordinary a character has been given, his excellency must be guided by the course of conduct which the enemy shall hereafter pursue. Lamenting, as his excellency does, the necessity imposed upon him of retaliating upon the subjects of America the miseries inflicted on the inhabitants of Newark, it is not his intention to pursue further a system of warfare so revolting to his own feelings, and so little congenial to the British character, unless the future measures of the enemy should compel him again to resort to it.

To those possessions of the enemy along the whole line of frontier which have hitherto remained undisturbed, and which are now within his excellency's reach, and at the mercy of the troops under his command, his excellency has determined to extend the same forbearance and the same freedom from rapine and plunder, which they have hitherto experienced; and from this determination the future conduct of the American government shall alone induce his excellency to depart.

The inhabitants of these provinces will in the mean time be prepared to resist, with firmness and with courage, whatever attempts the resentment of the enemy, arising from their disgrace and their merited sufferings, may lead them to make, well assured that they will be powerfully assisted at all points by the troops under his excellency's command and that prompt and signal vengeance will be taken for every fresh departure by the enemy, from that system of warfare, which ought alone to subsist between enlightened and civilized nations.

Given under my hand and seal at arms at Quebec, this 12th day of Jan. 1814.

GEORGE PREVOST.

*By his excellency's command,*

E. H. BRENTON.

[The foregoing is a *pure* "British official"—and abounds with wilful and evident falshoods. It was *made* for the *"party in America."*]—Ed. Reg.

## MILITARY.

General *Wilkinson's* late visit to Waterford had for its object the forwarding certain measures for the defence of *Sackett's Harbor*, which is menaced by the enemy, which having put into train, he returned rapidly to his army at *French Mills*. It is said that he had learned that sir George Prevost designed to attack him, but that he entertained no fears for such event. It appears very evident that the enemy contemplates some dashing expedition, having hired or pressed a great number of sleighs.

*Promotions.* Brigadier-generals *Izard* and *Brown*, have been appointed major-generals in the army of the United States—and colonels *Alexander M'Comb*, and *Thomas A. Smith* have been promoted to the rank of brigadier-generals.

Brigadier-general *Parker* arrived in *Norfolk*, the 22nd ult. to command at that post. He is an excellent officer.

*Pittsburg, January* 19. A letter has been received from *Samuel Douglas*, esq. commanding the Pittsburg volunteers, by the editor of the commonwealth, dated at Meadville, January 10, which states that from the enemy's taking so many sleds from the neighborhood of Buffalo, the American troops all felt confident of his determination to cross to Erie as soon as the ice can bear him. If he does not come to Erie, says Mr. Douglass, my company will *unanimously* volunteer to assist in dislodging him from Fort Niagara.

*The Creeks.*—The first army from *Tennessee* has been nearly disbanded. Major-general *Jackson* however held his position, soon expecting to be reinforced. A letter to the editor of the Register from *Nashville*, dated the 14th inst. says that a brigade of volunteers, for sixty days, had marched, who were supposed have reached him some time before that date.—2500 militia were raising to march in a few days from West Tennessee, and about the same number in East Tennessee, to join general *Jackson*. Colonel Williams' regiment of twelve months regu-

lars, is ordered into the Creek country. General *Blount*, of Tennessee, on calling out the requisition of militia says—

"Tennesseeans have done much by their valor, but much remains to be done to effect the object of government in this campaign in a desirable manner, and as is contemplated by the general government for the general good, and for the immediate and special benefit of the state. Let it be the pleasure of Tennesseeans, as it ever has been, to aid in an accomplishment of the views of the government of our choice, which is found to be actively engaged in securing and protecting us against the rude attacks of savages, who have heretofore drenched our frontier with the blood of innocent women and children. *Now is the accepted time—act all—act promptly and vigorously*—such conduct will soon put an end to the campaign against the enemies of our peace, and will secure to Tennesseeans the important benefits which they have sought for years, with the best efforts of government in their favor in time of peace. And above all, they should afford to the world an additional unequivocal evidence of their attachment to our government—this the president most confidently relies on."

The Cherokees and Choctaws, with a considerable number of the Creeks remain faithful. They have, of themselves, lately conducted several active enterprizes against the hostile indians. A letter from Savannah has the following paragraph—

"It is reported from good authority, that colonel Hawkins, who has been endeavoring for many years to keep peace with the indians, now says that half of the "Creek warriors must be exterminated, in order to prevent their killing the other half, who are friendly to the United States"—and the work of death, I believe, is progressing regularly and certainly—probably 4 or 5000 will be the number sacrificed to British arts and policy.

NAVAL.

The United States frigates *President*, *Constitution*, *Essex* and *Adams* are at sea, as are also the brigs *Enterprize* and *Rattlesnake*. Several sloops of war will probably soon be on the ocean. All these have spread their canvas without asking "*permission*" of the *British!* The *Adams*, commanded by the gallant *Morris*, got out of the Chesapeake about fifteen days ago—the *Constellation* yet lies near *Norfolk*—and so it is, that the wind which might serve her to get down the *river*, will not carry her out of the *bay*. It is again reported that Rodgers had a brush with a frigate, not the *Orpheus*. Perhaps, he may have come athwart two of them. The present rumor says, that the *Acasta* has arrived at Block Island (off New-London) and that the men who came ashore in the boat said, they had fallen in with the President and brought her to action, receiving from her three or four broadsides, by which they lost many men, and then had more than forty of the wounded in the cock-pit—but that the 74 which was in co. with the *Acasta*, and about two gun-shot distance at the commencement of the action, coming up, *Rodgers* turned tail to them and went on his way.

The U. S. sloop of war Argus was launched at the navy-yard, Washington city, on Saturday last, in the presence of a great assembly of spectators, among whom was commodore *Perry*, the foreign ministers, many members of congress, and other distinguished persons. After the launch many ladies and gentlemen partook of some refreshment prepared in a very handsome stile, the elegant marine band enlivening the scene by appropriate airs. The company separated at an early hour much delighted with the entertainments of the day. The *Argus* is of the size of the *Wasp* and *Hornet*, and is the *sixth* vessel of her class that has been launched since the late law for increasing the navy; some of which are nearly ready for sea.

It is stated that the keels of a very heavy frigate and of two brigs, have been laid at Sackett's harbor.

The letter of marque schooner Herald has arrived at Charleston from New-York. On the 26th ultimo, on the southern coast, had an engagement with a schooner under British colors. At 4 o'clock, P. M. she disappeared; supposed to have been sunk.

An American privateer of 24 guns sailed from Bordeaux in October last.

BLOCKADE OF NEW-LONDON.

*From the New-London Gazette, Jan.* 20.—"On Monday last rear-admiral Cockburn arrived before this port, with his flag, we understand, flying on board the Sceptre 74, accompanied by the Victorious 74, captain Talbot, Acasta frigate, captain Kerr, one other frigate, and two sloops of war. The actual blockading force now consists of three 74's—four frigates—two sloops of war and a gun-brig."

As the British have no land forces, no great anxiety is felt for the safety of *New-London*; yet commodore *Decatur* judging more correctly of what he had to depend on, went up the river on the 27th. It is intimated full faith is not given to the commanding general. By some prisoners who have come from the fleet on parole, it would appear that the enemy have abandoned their original design of attacking New-London, as they suppose it would be attended with great loss. It is further said COCKBURN is to return to the CHESAPEAKE.

BLOCKADE OF THE CHESAPEAKE.

The enemy has been moving in the bay. We do not learn that they have performed any *gallant* exploit since our last. The Virginia militia are pouring into *Norfolk*. Many of them are from the mountains of the interior.

## POSTSCRIPT.

The Victorious, of 74 guns, was ashore on the south side of Fisher's Island, near New-London, on the 31st ult. It is thought she will not be got off. The Sceptre, 74, is said to be "hogged" so that admiral Cockburn has changed his flag to the Albion. This is excellent news, and we think it is true.

We have a report received at New-York from *Sackett's Harbor*, that general *Wilkinson* had made a dash at the enemy, and captured 900 men with 18 pieces of heavy artillery, intended for the naval armament at Kingston, and on its way to that place.—We believe general Wilkinson has broke up his encampment at *French Mills*, supposed to have been designed to proceed to *Sackett's Harbor;* but the above is only a report.

A letter from St. Mary's county, Maryland, dated the 31st ult. states that one 74, two brigs and a schooner were in the *Potomac* coming up.

News from Europe, *via* the West Indies, received at Philadelphia, reports that *Holland*, *Switzerland* and a great part of *Italy*, had thrown off their dependence on *Bonaparte*. The prince of Orange was to proceed to Holland with 20,000 English troops. The French army at *Dresden* had surrendered, say 16,000 men. *Wellington* is said to have beat Soult near *Bayonne*, and to have taken 3000 prisoners.

☞ Nothing important in congress on Thursday.

CONDITIONS OF THE WEEKLY REGISTER.

The price of this paper is $5 *per annum*, payable in advance. Subscribers must begin and end with a volume. There are two volumes a year commencing in March and September; and to those who subscribe in the intermediate time, the files of the current volume are sent.

# THE WEEKLY REGISTER.

No. 24 of vol. V.] BALTIMORE, SATURDAY, February 12, 1814. [whole no. 128

*Hæc olim meminisse juvabit*—Virgil.

Printed and published by H. Niles, South-st. next door to the Merchants' Coffee House, at $ 5 *per annum.*

[Two numbers more complete the 5th or present volume of the Weekly Register. We have much matter on hand that would have been preferred for this number, had not a *necessity* existed to insert Mr. *Giles'* 3d letter to make full and perfect the contents of the volume; and the "observations" upon it must also have a place. This, with the important documents communicated by governor *Tompkins* to the legislature of New-York, and a few things prepared for the press before the receipt of the latter, have excluded nearly all the notices of passing events usually furnished. The heads of the most important things are noted and we expect to bring up the whole in our next.]

## To the People of Virginia.

No. III.

*The Russian mediation—The nomination of Mr. Gallatin one of the envoys &c.—and his rejection.*

On the 21st of May last the following message from the president of the United States was laid before the senate.

*To the Senate of the United States.*

"Commissions having been granted, during the recess of the senate to the following persons, I now nominate them to the same offices respectively annexed to their names: Albert Gallatin, John Quincy Adams, and James A. Bayard, to be jointly and severally envoys extraordinary and ministers plenipotentiary to negotiate and sign a treaty of peace with Great Britain, under the mediation of the emperor of Russia; to negotiate and sign a treaty of commerce with Great Britain; and the said John Quincy Adams, Albert Gallatin, and James A. Bayard, to be jointly and severally envoys extraordinary and ministers plenipotentiary, to negotiate and sign a treaty of commerce with Russia.

"(Signed) JAMES MADISON.

"*Washington, May 29th*, 1813."

On the 3d of June following the senate passed the following resolution in relation to the message:

"*Resolved*, That the president of the United States be requested to inform the senate whether Albert Gallatin, commissioned as one of the envoys to treat of peace and commerce with Great Britain, and of commerce with Russia, retains the office of secretary of the department of the treasury, and in case of his so retaining the same, to inform the senate under what authority, and by whom, the powers and duties of the head of the treasury department are discharged during the absence of Albert Gallatin from the United States."

On the 7th June the president caused the following reply to be laid before the senate:

"*To the Senate of the United States.*

"In compliance with their resolution of the 3d inst. the senate are informed, that the office of the secretary of the treasury is not vacated; and that in the absence of Albert Gallatin, commissioned as one of the envoys to treat with Great Britain and Russia, the duties of that office are discharged by William Jones, secretary of the navy, authorised therefor according to the act of congress, entitled "An act making alterations in the treasury and war departments," passed May 8th, 1792.

"JAMES MADISON.

"*Washington, June 7*, 1813.

In this stage of the business it first became my duty to deliberate, and to act upon the subject. The president commences his message of the 29th of May by informing the senate, that during its recess commissions had been granted to Messrs. Gallatin, Adams, and Bayard to be envoys extraordinary and ministers plenipotentiary, &c. &c. This measure is presumed to be founded upon the powers granted to the executive and contained in this clause of the second section of the second article of the constitution of the United States.

"The president shall have *power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session.*"

Whether the president was authorised to *grant commissions to fill offices, de novo, which had not been before filled*, under the power to *fill up all vacancies that may happen during the recess of the senate*, is a question not without its difficulties; and upon which I have not made up a final opinion. My disposition strongly is, to give the words of the constitution the most liberal construction in favor of the right of the executive to exercise the power—but whether it can be done consistently, with the real meaning or spirit of the words just quoted, I have the most serious doubts; and these doubts are materially increased by adverting to another clause of the constitution, which evidently intended to grant the general power of appointment, to which the clause just mentioned seems rather an exception than an original grant of power. The clause alluded to is in the same article and section, and in the following words:

"He (to wit, the president) shall have power by and with the advice and consent of the senate, to make treaties, provided two thirds of the senators present concur; and he *shall* nominate, and by and with the advice and consent of the senate, *shall* appoint ambassadors, other public ministers, and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not otherwise provided for, and which shall be established by law. But the congress may, by law, vest the appointment of such inferior officers as they think proper, in the president alone, in the courts of law, or in the heads of departments." (Then follows the clause in question.)

But it is not my intention at this time to enter into the examination of this question. It is doubtless an important one, and ought to be settled by a solemn decision; but my object in presenting this subject to you at this time is merely to give you a full view of the transactions connected with it, and more particularly to remind you, that whatever commissions may have been granted, to Messrs. Gallatin, Adams, and Bayard, during the recess of the senate, must necessarily have expired at the end of the last session, and, of course, a new commission after that period was indispensably necessary to give a constitutional sanction to all or any of their acts done thereafter, and that as Great Britain had not, in all pro-

bability commissioned any envoys previous to that period, the commissions to be granted under the approbation of the senate might be considered as the only commissions under which the envoys could act, the former having expired according to the provision of the constitution, and consequently withholding a commission from one of the envoys would have less influence upon the proceeding than if they had really been engaged in the full exercise of their diplomatic functions. Another circumstance of very material consideration, in my judgment, is connected with the constitutional limitation of the first commissions granted to envoys, &c. It is the time of their leaving the United States. This took place, as will appear by the public prints, not more that twelve or fourteen days previous to the meeting of the senate; when, it appears to me, there could not exist any reasons sufficient to justify this movement at that particular moment, and of course it must be considered as premature and precipitate. But many and very cogent reasons existed why it ought to have been longer delayed. The principal reasons are, that our government at that time had received no assurances that Great Britain would accept the overture at all; in which case their leaving the United States at any time would be a work of supererogation and considerable expense; and strong reasons existed, as it is believed, to induce an opinion that she had no intention to accept it. The one was the astonishing successes of their allies on the continent of Europe, preceding and about that time—another was, that the minister of foreign affairs, lord Castlereagh, as I am informed and believe, was officially apprized of the overture on the part of Russia, as early as the month of February preceding, and probably in the early part of the month; and the most sullen silence upon the subject had been observed by that cabinet, until after the sailing of our envoys had been announced in London. I do not mean to inquire into the objects of this precipitation, either as they relate to its effects upon the mediation itself, or upon the peculiar circumstances of one of the gentlemen employed under it; nor whether the dignity and honor of the United States have been consulted thereby; nor what impression it will probably make at home or abroad, if Great Britain should finally reject the overture altogether. My object merely is to show, that the necessity which impelled this movement, was not very urgent at the time, and that a becoming patience of two or three weeks would have enabled the president to consult the senate upon the measure in the usual constitutional way, without risking so many novel and hazardous experiments upon fundamental principles, as necessarily accompanied the proceedings, which did take place. The first of these consists in the attempt to unite in one person, two incompatible offices; the second to substitute another person to perform the duties of secretary of the treasury during his voluntary absence from the United States, for an indefinite time. In my judgment, it requires the most profound attention, duly to appreciate the importance and tendency of these principles, and from the many superficial observations I have heard made on them, I am satisfied, that they have not received such attention from the public.—This consideration furnishes an inducement with me to be particularly accurate in my examination of both questions. The union of two or more incompatible offices in one person, is not only hostile to the genius and spirit of the constitution, and people of the United States; but I do not recollect a single instance in which it has been sanctioned by the senate since I have had the honor of a seat in that body. Questions have often occurred, whether two offices proposed to be united in one person, were incompatible or not; but the incompatibility once admitted, a rejection would always be the consequence. At the time of the nomination of general Dearborn to the office he now holds, he was collector of the port of Boston, and notwithstanding he was one of the popular idols of that day, the senate came to a solemn pause, and the nomination was not confirmed, until some informal understanding took place between the president and the majority of the senate, as I was then informed and believe, that an arrangement was made, by which his son was to be made collector in his stead, and that he should not in the mean time receive the compensations attached to both offices; and then, and not until then, was the nomination approved. Believing that the president did not possess the power to make such an arrragement, which essentially consisted in a power to suspend the operation of laws, and disapproving of the whole proceedings accompanying the nomination, as well as the nomination itself, I then incurred the popular odium attached to voting against it. Whether the object obtained, was worth the hazard of such important principles, the public can better *now* determine.—The case of the nomination of Mr. Jay to be envoy extraordinary to London, is cited, and by republicans too, as a precedent in favor of the late proceedings. There are precedents to follow, and precedents to avoid. There never was a stronger one of the latter character, than the nomination of Mr. Jay.—Those who press it strongest, as a precedent, disapproved it most, and will not now admit the conviction of a former error in the disapprobation; whereas many of those who formerly justified it, are now disposed to admit the conviction of an error in their former justification. What then is this but presenting an acknowledged error as a precedent to sanction the adoption by another error? Surely such a precedent ought to be avoided, not followed.

I know of no person in the United States, who disapproved of that proceeding more, as I then understood, than the president, Mr. Gallatin and myself; and I have lately been called upon to sanction, and perhaps to transcend the principle in the person of the one, upon the nomination of the other of these gentlemen. And the refusal to sacrifice the convictions of my own mind for their accommodation, has submitted me to extreme censure, although these convictions are not impaired, but strengthened by further reflection. Besides, when the republicans were endeavoring to oust the federalists from power, and substitute themselves in their stead, did they tell the people that, if through their favor, they should become possessed of power, they would then quote the very federal errors, for which their authors were denounced before the people by them to justify their own conduct? Did the republicans then tell the people, that they would even transcend federal precedents? That they would resort to forced constructions of the constitution, and the laws, to effect favorite objects, through the agency of favorite individuals? On the contrary, did they not most manfully pledge themselves to the people, to administer the government in the true unsophisticated spirit of the constitution and of the laws? That these pledges were given is most true—and now to resort to the most manifest and indisputable of the federal errors for justification, is to me most strange. Such a precedent surely can have no charms for republican orthodoxy. It certainly can have none for me, who have been both an agent and a witness to all these scenes. To me, it is a circumstance of heartfelt consolation *to know*, than in a course of more than twenty years public service, my conduct has invariably borne evidence of the sincerity of my professions; that I ne-

ver, on any occasion, yielded my political principles to the force of circumstances, nor to the delirum of party spirit, nor to partialities for men. This plea of the force of circumstances is often visionary—seldom more visionary than on the present occasion. But the case of Mr. Jay, is not precisely analogous to the present one. One great objection to that case was, its tendency to subject the judicial department to an undue influence with the executive. In that respect it was worse in my judgment, than the present case. But the incompatibilty was not so palpable in that, as in the present case; nor attended with such serious consequences. There were other judges who, in the absence of the chief justice, might perform all the necessary judicial functions. Besides, the courts are in session only a small portion of the year, and the absence of the chief justice might not be longer, than the interval between the courts. In this case, the duties of two offices might be performed by the same person. I mention these circumstances, merely to show the difference in the two cases; not because I approve of the proceedings in either; for in the case of Mr. Jay, I do think the duties of the two offices so incompatible, as to render the appointment extremely objectionable. But the duties of the secretary of the treasury and of envoy extraordinary to a foreign power, are palpably and absolutely incompatible, nor do I believe, that any person can be legally, and constitutionally appointed, to perform the duties of secretary of treasury in his voluntary absence beyond the limits of the United States. This may be presumed to have been the opinion of general Washington when he nominated Mr. Jay; because it was believed at that time, that Mr. Hamilton, then secretary of the treasury, was preferred by him as well as by the whole federal party, for that mission, and that Mr. Hamilton himself was very desirous of the appointment; but upon examining the constitution and the laws, it was determined not to exceed the powers of the executive, and from that cause the original intention was reluctantly abandoned. I have lately received assurances from respectable sources, that such was the case. To ascertain the first point, I beg to introduce the provisions of the law, detailing some of the duties of the secretary of the treasury, from which it will appear, that they must be executed in the city of Washington, and no where else, and at all periods of the year. They are in the following words:

"That it shall be the duty of the secretary of the treasury *to digest and prepare plans for the improvement and management of the revenue*, and for the support of the public credit; to prepare and report estimates of the public revenue, and the public expenditure; *to superintend the collection of the revenue*, to decide on the forms of keeping and stating accounts and making returns, and *to grant under the limitations herein established, or to be hereafter provided, all warrants for monies to be issued from the treasury, in pursuance of appropriations by law*, to execute such services relative to the sale of the lands belonging to the United States, as may be by law required of him, *to make report and give information to either branch of the legislature, in person or in writing* (as he may be required) respecting all matters referred to him by the senate or house of representatives, or which shall appertain to his office, and generally to perform all such services relative to the finances as he shall be directed to perform."

After an attentive perusal of the provisions of this law, no other effort of the mind is necessary to determine the palpable and absolute incompatibility between the duties of the secretary of the treasury, and those of an envoy extraordinary to a foreign power, than to understand the distinction between *here* and *there*, between Washington and St. Petersburgh. Because, however extensive may be the moral endowments of the secretary's mind, he must be wanting in personal ability. His person cannot be present at Washington and St. Petersburg the same time, and the duties of the two offices do require to be performed at the two places at the same time—And of course, they are essentially incompatible with each other. The first duty pointed out by the provisions of the law, for the secretary to perform, is to digest and prepare plans for the *improvement* and management of the revenue. This is unquestionably an important duty. How has it been performed?

The meeting of congress, which did take place only a few days after the departure of our envoys, was known to be intended expressly for the *improvement* of the revenue; what was its disappointment, when, upon its meeting, it was informed, that the secretary, whose *first duty* it was, under the law establishing the treasury department, *to prepare the plan for the improvement of the revenue*, had a few days before its meeting, without even the plea of urgent necessity, voluntarily absented himself from the United States; and thus unexpectedly deprived congress of the aid of his splendid financial talents; and that too, on the very first occasion which had occurred in the government, to render their full and prompt exertions indispensably necessary? However correct may have been his motives, it is in vain to urge in justification of his conduct, that the secretary left behind him a prepared plan for the improvement of the revenue. It is well known, that this plan was presented to congress under very questionable circumstances; and besides the presentations of a plan of revenue, at a preceding session of congress, was not a performance of all the duties required of the secretary under the law, to the congress upon which had fallen the unpleasant and difficult task of laying the taxes for the improvement of the revenue—for by pursuing the further provisions of the law, it will be found, that it is also made the duty of the secretary to give information to either branch of the legislature *in person or in writing* (as he may be required) respecting all *matters referred* to him, &c. Now it is well known, that the plan for the improvement of the revenue, left behind him, was incohate and imperfect. It required much explanation. It was his indispensable duty under the law to be present to give it either *in person or in writing*, as might have been and would have been required of him, probably by both branches of the legislature, if he had not put it out of their power by voluntarily absenting himself from the United States.

But these provisions require of the secretary the performance of another duty of no trivial importance. *It is "to grant, &c. all warrants for monies to be issued from the treasury in pursuance of appropriations by law."* The appropriations at this time, certainly exceed thirty millions of dollars. Is this a duty to be also performed by a person not known to the constitution, nor recognized by law? Was this a charge to be voluntarily parted with by the secretary of the treasury; and for him still to hold the office of the head of that department? Your laws are almost every where interspersed with important duties to be performed by the secretary of the treasury; but one, requiring peculiar attention at this time, is contained in the section of an act of congress passed the third of March, 1797, in the following words:

"That whenever any person or persons who shall have incurred any fine, penalty, forfeiture or disability, or shall have been interested in any vessel, goods, wares, or merchandize, which shall have been sub-

ject to any seizure, forfeiture or disability by force of any present or future law of the United States, for the laying, levying or collecting any duties or taxes, or by force of any present or future act concerning the enrolling and licensing ships or vessels employed in the coasting trade or fisheries, and for regulating the same, shall prefer his petition to the judge of the district, in which such fine, penalty, forfeiture or disability shall have occurred, truly and particularly setting forth the circumstances of his case, and praying that the same may be mitigated or remitted, the said judge shall inquire, in a summary manner, into the circumstances of the case, first causing reasonable notice to be given to the person or persons claiming such fine, penalty or forfeiture, and to the attorney of the United States for such district, that each may have an opportunity of showing cause against the mitigation or remission thereof *and shall cause the facts which shall appear upon such enquiry, to be stated and annexed to the petition, and direct their transmission to the secretary of the treasury of the United States, who shall thereupon have power to mitigate or remit such fine, forfeiture, or penalty, or remove such disability, or any part thereof, if, in his opinion, the same shall have been incurred without wilful negligence, or any intention of fraud in the person or persons incurring the same; and to direct the prosecution, if any shall have been instituted for the recovery thereof, to cease and be discontinued, upon such terms and conditions as he may deem reasonable or just.*"

This clause confers upon the secretary of the treasury judicial powers of the highest and most delicate character; and makes him literally chancellor of the exchequer. It was scarcely possible to appreciate the importance and delicacy of this judicial power. It is a chancerizing power, almost without limit or rule, depending almost exclusively upon the mere discretion of the secretary of the treasury; to be decided on in his private chamber, without jury, without auditors or spectators, &c. &c. Ought there not to be unusual confidence reposed in the personal integrity and talents of the judge entrusted with the execution of such important, delicate discretionary powers? Some idea of the importance of this power may be formed, from the recollection that not long since, nineteen millions of dollars at one time, from particular circumstances, were subjected to this discretionary power, to be settled between the secretary and the claiming merchants at his chamber.—Under circumstances so delicate, and for an amount so enormous, the secretary was then very willing to incur the responsibility of making the adjustment. But on that occasion, the power was resumed by congress, not without serious imputations being thrown against the proceeding, as trenching upon the secretary's prerogatives.

Judicial powers are in their nature unalienable.—They depend for their performance upon the personal confidence reposed in the judge. What, then, has become of this power, during the absence of the secretary? Is it to remain dormant, or is it to be executed? If dormant, in what situation is the whole mercantile class placed by the absence of the secretary? If to be executed, by whom? Every reflecting man must know that the substitution of the secretary of the navy, Mr. Jones, is an argument, so far as it relates to his execution of the powers of the treasury personally, merely nominal. At least that inference is inevitable from a statement made to congress by himself. One of his first acts after taking possession of the navy department was to call for ssistance in the execution of its duties; they being eemed too burthensome for an individual. The duties, it is believed, have not decreased; how then so shortly afterwards could he find himself not only competent to the discharge of all the duties of his own department, but those still more arduous and important in their character of the treasury, superadded? I am informed and believe, that the real operative part of the business is performed by persons entirely unknown to constitution or law for such objects, the mere dependent clerks of the treasury department, and the name of Mr. Jones is added to complete the formal part of it. This statement is not intended to insinuate aught against Mr. Jones. I have long enjoyed the pleasure of an acquaintance with that gentleman, and it now adds to that pleasure to declare that he possesses my full and entire confidence. My sole object is, to lay before you an entire and candid statement of the most material laws, and facts, affecting this question, that you may be able impartially to estimate the consideration, operating on those gentlemen, who refused to sanction these proceedings with their approbation.

This leads me to consider, whether the executive is invested with the power under the provisions of the constitution and laws of the United States, to appoint any person or persons to perform the duties of secretary of the treasury during his voluntary absence from the United States. And it is a subject of no small regret to me to believe, that the president has unintentionally mistaken his powers in this very important and delicate respect. I have at the same time so much confidence in his candor and magnanimity as to believe that, upon a more critical attention to the constitution and laws, he would acknowledge the mistake. The sole ground upon which the president places his authority is contained in the following section of the act passed the 8th of May, 1792, to which he refers in his last reply to the resolution of the senate upon the subject.

"That in case of the death, *absence from the seat of government*, or sickness of the secretary of state, secretary of the treasury, or of the war department, *or of any officer of either of the said departments, whose appointment is not in the head thereof*, whereby they *cannot* perform the duties of their said respective offices, it shall be lawful for the president of the United States in case he shall think it necessary, to authorise any person or persons at his discretion, to perform the duties of the said respective offices until a successor be appointed, or until such absence or inability by sickness shall cease."

The words from which the president has inferred the exercise of this power, are, "absence from the seat of government." It is said that the secretary of the treasury is absent from the seat of government, and therefore the president may, under the law, and did appoint a person to perform his duties during such absence. This construction regards merely the letter of this particular clause of the law, detached from every other, and obviously disregards the meaning and spirit of the clause itself, as well as every other part of the law. The object of the law was, to provide a remedy for certain *cases of necessity*, which had been omitted in the provisions of the constitution. The construction of the law therefore, ought not to be extended beyond its own object.—The words "absence from the seat of government," evidently mean *a necessary absence*, pre-existing any power given to the president by the law, and evidently create a condition *precedent* to the exercise of any power whatever under it. The event must happen, before the power accrues. Now, what are the powers exercised by the president under these words—First, the power to create the absence, and then the power to appoint in consequence of the absence thus created, not in consequence of any necessary ab-

sence pre-existing the exercise of any power whatever under the law, but on account of an absence created by the president himself from an exercise of power not given by the law. Where are the words in the law, which could be construed to intend to give the president a power to create an absence? There are none. The words in case "of absence from the seat of government," certainly do not. They are only intended to describe one condition, upon which the power is to accrue, and that condition must precede the exercise of any power whatever under the law. But there is another objection to the exercise of the power in question, under the words "absence from the seat of government." They do not describe the case, which has happened, and upon the happening of which the president has ventured to exercise the power. The actual case, which has happened, is this. The secretary of the treasury has voluntarily taken a voyage to St. Petersburg. Now I deny that this case is described by the words "absence from the seat of government;" because those words do not only not convey an affirmative idea of a voyage to St. Petersburg, but do imply a negative idea against it. These words so far from conveying an idea of a voyage beyond the limits of the United States do distinctly imply a presence within the United States. No man, who intends to inform another, that a third person intends to take a voyage to Europe, would expect to make that impression upon the mind by informing him, that the third person intended to *be absent from the seat of government.* Because so far from conveying that impression they would distinctly imply a presence within the U. States. The minor proposition, is never used to comprehend the major. But the most formidable objection to the president's construction, is, that it militates directly, as I conceive, against the provisions of the constitution, and surely, that interpretation ought always to be given to the laws, that will support and not destroy constitutional provisions. The 2d section of the 2d article of the constitution, after authorizing the president "to take the opinion in writing of the *principal officer* in each of the executive departments, upon any subject relating to the duties of the respective offices, &c." contains this provision,—"And he (to wit, the president) shall nominate, and by and with the advice and consent of the senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and *all other officers* of the United States, *whose appointments are not therein otherwise provided for*, and which shall be established by law." Then follows an exception to the general course of appointment, by investing congress with the power, *by law, to vest the appointment of such inferior officers as they think proper in the president alone*, &c. This exception is contained in the following words:

"But the congress may, by law, *vest the appointment of such inferior officers as they think proper, in the president alone, in the courts of law, or in the heads of departments.*"

The plain language of the constitution is this—The president shall nominate, and by and with the advice and consent of the senate, *shall appoint* all the officers of the government, especially the *principal officers*, but the congress *may by law vest in him alone* the *appointment of such inferior officers* as they think proper. Congress is certainly restrained from changing by *law*, under any circumstances, the constitutional course of appointing *the principal officers*, which can only be done, by and with the advice and consent of the senate, and not by the president alone. How does the power exercised under the law by the *president alone*, comport with these provisions of the constitution? Are not all these wise and necessary limitations and restrictions provided in vain? The principle of construction put upon this law, would enable the president, first to create the absence (to use the words of the law) "of the secretary of state, secretary of the treasury, or of the secretary of the war department, or of any other officer of either of the said departments, whose appointment is not in the head thereof;" and then to appoint all *these officers alone*, and without the advice and consent of the senate. It happens by a strange and singular fatality in this interpretation of the law, that the president claims the appointment *alone*, of those very principal officers, the appointment of which by the president *alone*, congress has no power even by law to vest in the president *alone*, according to the provisions of the constitution; whereas his power does not extend to the appointment *alone* of such inferior officers, as by law congress may constitutionally vest in him *alone*. Surely the law never could intend, and does not mean such a palpable contradiction to the provisions of the constitution, for the law only intended to provide, from a principle of necessity, for unprovided cases. The whole section of the law taken together, clearly explains its own object, for it cannot escape attention that according to its provisions, the cases of absence and disability described, are to be such, as that the person affected by them, *cannot* perform the duties of his office; nor it never can be fairly contended, that the abandonment of the duties of an office, can imply an inability to discharge the duties of such office. Besides, if the secretary cannot discharge the duties of the office of secretary of the treasury, it is proof positive of the incompatibility of the two offices in question; because the test of *positive incompatibility* is the *positive inability* of the same person to discharge the duties of two offices at the same time. But the extent of this unfortunate interpretation of the law does not stop here. On the 13th of Feb. 1795, congress again resumed this subject, and probably presuming that the powers given to the president by the former act had been rather indefinite, passed another law with a view to its limitation, consisting of a single section, in the following words:

"That in *case of vacancy* in the office of secretary of state, secretary of the treasury, or of the department of war, or of any office of either of the said departments, whose appointment is not in the head thereof, *whereby they cannot perform the duties of their respective offices*, it shall be lawful for the president of the United States, in case he shall think it necessary, to authorize any person or persons, at his discretion, to perform the duties of the said respective offices, until a *successor be appointed, or such vacancy be filled: provided that no one vacancy shall be supplied, in manner aforesaid, for a longer term than six months.*"

Now this law clearly implies that there are vacancies in these principal offices, when the incumbents *cannot* perform the duties of their respective offices, yet the president informs the senate in his message on the 3d of June, 1813, that the office of secretary of the treasury is not vacated; although Mr. Gallatin was actually at that time commissioned as an envoy extraordinary, &c. and absent on a voyage to St. Petersburgh.—This interpretation completely evades the limitation of this law. The law having provided the limitation for *vacancies*, and the president having determined "that the office of secretary of the treasury is not vacated;" of course Mr. Gallatin's case is thus excepted out of this general limitation which applies only to vacancies, and brings the claim of power by the president to this point—that he may under the law create the absence of all the principal officers just described, and may *alone*, without the ad-

vice and consent of the senate, appoint substitutes for them at his pleasure for an indefinite time. Now, fellow-citizens, let me entreat your impartial attention to some of the consequences of this assumption of power under the interpretation of the laws in question—On no subject has the constitution been more scrupulously attentive, than to secure to the people of the United States, the fair and honest disbursements of their public monies. It first provides, "that no money shall be drawn from the treasury, but in consequence of appropriations made by law." It then in substance provides, that no person shall be entrusted with the disbursement of the public monies, but one, who shall be first elected for that purpose by the president and approved by the senate of the United States; a body composed of two members from each state in the union. These provisions together with the checks provided by the laws establishing the treasury department, &c. have been deemed insufficient securities for this great object; peculiarly great at this time, when the appropriations amount to a sum so enormous. All these securities the people have a right to demand of the government, and to know the persons invested in these high trusts.—Have they all these securities at this time? They certainly have not. The person exclusively known by the constitution, for the most material agency in this important business; one of whose special duties under the law is "*to grant all warrants &c. for monies to be issued from the treasury in pursuance of appropriations made by law,*" is absent on a foreign embassy; and another person, no where recognized by the constitution is *formally* performing this high, responsible duty in his stead. The present president is well known to be amiable and unambitious.—His predecessor was amiable also, and unambitious; but his competitor for the presidential chair, with an equal vote by the people, is well known to have been both enterprizing and ambitious. It was scarcely less than a miracle, considering the stratagems he employed for that purpose, that he was not placed in the presidential chair. Now endeavor to imagine for yourselves any plan which could more effectually facilitate the schemes of ambition than the assumption of a power to send the principal officers of the treasury from the country, and to substitute in their stead creatures devoted to the selfish purposes of an ambitious president. To exemplify the case more particularly. Suppose Aaron Burr your president, with a power to send all the *principal officers* of the treasury department out of the country, and to substitute in their stead, *without the advice and consent of the senate*, some of "his choice spirits, who are tired of the dull pursuits of civil life, &c." would you have much confidence, that your public monies would be honestly disbursed in pursuance of appropriations made by law? And do you believe, that there is but one man in the United States possessing Burr's propensities for personal aggrandisement?—Recollect, too, that the enterprising and ambitious always cover their selfish projects, with precedents afforded by the amiable and unambitious. Of course, such precedents cannot be too scrupulously, and diligently guarded against in times of security and confidence. This consideration is entitled to double force at this moment, when the only justification of the very case before us is founded upon a precedent, and that precedent itself, founded upon an acknowledged error. From these, and other enumerated considerations, I give my most hearty concurrence to the following resolution adopted by the senate on the 15th day of June last. I sincerely hope, that after the effervescence of the present moment shall be dissipated, the principle it embraces will receive a conspicuous place in every republican text-book, regardless of the names which may be found on either side of the question.

"*Resolved*, That in the opinion of the senate the power and duties of the secretary of the department of the treasury, and those of an envoy extraordinary to a foreign power, are so incompatible, that they ought not to be and remain united in the same person."

What is the principle asserted by the negative of this resolution? That the powers and duties of the secretary of the department of the treasury, and those of an envoy to a foreign power, *are not so incompatible, but that they ought to be, and remain united in the same person.* What is this, but asserting the *sinecure* principle in its worst form; in the most operative, beneficial offices, and not merely in the nominal, lucrative ones? What is this, but a change of principle, with a change of men? How entirely the opposite of the just and lofty pretensions of republicanism? Obedience to principles, not men—after all, for what object, upon what ground, have all these delicate principles been hazarded?

The object was surely laudable. It was to restore peace to the country. Amiable solicitude for peace certainly impelled the conduct. Its motive entitles the author to every indulgence.—Yet, although the motive for the conduct be pure and laudable, the principles asserted by it in their practical effects partake nothing of the motive which dictated them.—The ground of the proceeding, in my judgment, was most delusive and unfortunate. It must have been, that Mr. Gallatin was better qualified to discharge the duties of both these high incompatible offices, than was any other gentleman in the United States to perform the duties of either of them. Nothing less than this could be pleaded in justification of the attempt to unite in the same person, two incompatible offices, under circumstances so inauspicious to the object.—It is certainly very complimentary to the individual, who has been honored with this presidential distinction, and may perhaps tend to advance his personal aggrandisement. But considering that this individual was born without the limits of the United States, and that accident alone cast him upon our shores, I am unwilling to state what I conceive, ought to be the just and proper effects of this compliment, upon the feelings of every man, woman and child, whose happy destiny gave them birth within the limits of the United States—who upon such birth inhaled the true *armor patriæ*, and have cherished the holy passion up to the present moment.

For what is this passion, but an affectionate preference of one's own country, and own countrymen, to foreign countries and foreign countrymen? Yet even this exalted and honorable affection of the human mind, the fruitful parent of so many virtues, and virtuous deeds, which in all ages has stimulated individuals to heroic actions, and splendid exploits, which has often exalted nations to the highest pitch of grandeur and prosperity, must now hide its diminished head, beneath that visionary expanded philanthrophy, which, in its excess, gives the preference to foreigners, over one's own countrymen. Yet this ideal philosophy of the mind never yet had warmth, nor energy enough, to stimulate the bosom to one heroic deed, nor in any way to contribute to the exaltation of any one nation. But the principle of the union of incompatible offices, has an unhappy bearing upon the very basis of our fundamental institutions. They are all founded upon the principle, that the people of the United States possess a capacity to govern themselves. They presume, that one man at least may be found competent to the discharge of the duties of each office, however important they

may be. Selecting one man for the discharge of the duties of two incompatible offices, whether an American or foreigner, militates directly against this principle, and tends to question its political orthodoxy.

From these considerations, although others might be justly resorted to, I felt myself reluctantly constrained in the discharge of my high official duties, *to advise* the president *not to appoint* Mr. Gallatin one of the envoys under the mediation It was impossible for me laboring under the impressions produced by these reflections, to give my *consent* to the measure, so long as Mr. Gallatin held the office of secretary of the treasury, without sacrificing every honest conviction of my own judgment. My reluctance arose, from the strong desire I unfeignedly felt, to give the plan for obtaining peace, approved by the president, the fairest experiment in his own way. It is well known that I should have voted in favor of the nomination, if the president had deemed it proper to have nominated another person to be secretary of the treasury. Candor, however compels me to acknowledge, that with the information I then received and believed, and which perhaps at some future period the public may possess, such vote would have been exclusively influenced by a spirit of concession, and a respectful deference for the views of the president. By superficial observers, the rejection of Mr. Gallatin is believed to have injurious effects upon the negotiation to be conducted under the mediation.—Would to God, there may be any negotiations, under the mediation to be affected in any way!! If there should be none, it must be agreed that the rejection could not have produced any great mischief in that respect, and it has certainly saved a great fundamental principle. But admitting the negociations to proceed, what are the real effects, which will probably be produced by the rejection? Recollect, the envoys were to act *jointly and severally*; and that the commissions granted during the recess of the senate expired at the end of its last session. New commissions must therefore have issued, after the decision of the senate. The only effect, then, that could be practically produced by the rejection, if the president had thought proper to exert his powers on the occasion, would have been this, that some person might be appointed in Mr. Gallatin's stead, who would have borne out the new commission, and acted under it. If Mr. Gallatin had been approved, then the person bearing out the new commission, would have passed it over to Mr. Gallatin, who would have acted under it himself. The president had deemed it best not to appoint a substitute, and of course, it must be presumed, either that he was satisfied with the two who were approved, or that he had lost all confidence in the successful termination of the project. The power of the president to nominate a *republican* substitute, and his refusal to do it, afford a sufficient reply to the cavil set up, that the only republican was excluded by the senate. Because if the president had nominated any honorable, intelligent republican, laboring under no legal disability, I have no doubt but he would have received the unanimous vote of the senate. The alarm expressed by some, of the unfavorable impressions produced on foreign nations by the rejection, is certainly ideal and inconsiderate.—Upon what pretext would any foreign nation take offence, at our adherence to the fundamental principles of our own institutions, in appointing our foreign ministers? We have had abundant experience upon this subject to relieve us from all apprehensions in that respect. Mr. Short commissioned by Mr. Jefferson during the recess of the senate as minister plenipotentiary to Russia, and actually in Europe on his way thither, upon being nominated to the succeeding senate was unanimously rejected by that body. The president at his pleasure, has recalled other ministers from other nations without offence to any. Foreign nations have recalled their ministers from the United States at their pleasure without offence. Indeed no condescension could be greater or more reprehensible, than departing from the observance of the principles of our own institutions, in appointing our foreign agents, for our own objects, for the accommodation of any foreign nation whatever. As to the consideration of the loss of Mr Gallatin's extraordinary talents by the rejection, I would observe that those, who calculate upon the efficacy of *the excess of that gentleman's talents*, beyond those of any other gentleman in the United States, in changing the views of the British cabinet, upon the subject of British maritime rights, risk their calculations for peace upon a forlorn hope indeed. I would not wish to derogate aught from the talents of Mr. Gallatin. They are certainly great, but I deem it no derogation to say, that in my opinion, there are many, very many gentlemen in the United States, possessing talents equally competent to all the purposes of his mission.

"I have now, fellow citizens, given you a general and comprehensive exposition of the course of reflections, which influenced my conduct on this very interesting subject. I have laid before you, the whole of the constitution, and of the laws having any material bearing on the case in their original letter. If you will examine them with impartiality and attention, discarding the idle, malicious and senseless imputations of improper motives without a conceivably object, which have no existence, except in the unfortunate propensities of the minds which suggest them, and if they had, could in no respect alter the constitution or the laws, I cannot help flattering myself with the concurrence of your opinions upon the subject. If, however, notwithstanding the diligence I have employed to inform myself correctly, I should have taken erroneous views of the subject, I have the consolation to know that by collating the constitution and the laws affecting the case, I have furnished you with the means of correcting my unintentional errors. WILLIAM B. GILES.

*Wigwam, Nov.* 6, 1813.

# Events of the War.

## *THE NIAGARA FRONTIER.*

### In the Legislature of NEW-YORK, Feb. 1.

The following message and documents, were received from his excellency the governor, and ordered to be printed :—

GENTLEMEN—Pursuant to the suggestion made in my public communication at the opening of the session, I now lay before you a statement of the proceedings which have taken place relative to the invasion and defence of the Niagara frontier.

On the 26th day of November last, I received a requisition from the war department, a copy whereof, marked (A), accompanies this message. On the same day a general order for levying the detachment issued (B), with a blank for the number of men.—This order was enclosed to general M'Clure, then commanding on that frontier, with authority and directions to fill the blank with such number of men as would be competent, according to the authentic information he might possess of the number, situation and objects of the enemy's force in that direction, and thereupon to transmit the order to major-general Hall

Upon my return to this place from the southern frontier, on the 24th December last, an express delivered me communications from general M'Clure, and from general Hopkins, commandant of the Niagara brigade of militia, informing me that the enemy had crossed at Lewistown and burnt that village, and of their apprehensions for the safety of fort Niagara.—That the militia had been called forth *en masse*, and that about 400 of them had arrived.

The express stated, that he met bodies of troops going out, and that major-general Hall, commandant of the western division of militia, was on his way to that frontier.

The superintendant of the United States ordnance department in this city, immediately sent off 350,000 musket cartridges, 14,000 flints, 500 muskets, and a quantity of ammunition prepared for field pieces. There was also furnished from the state supply, at this place, 1000 muskets and cartridge-boxes, which have since been followed by 300 camp-kettles, and as many axes and shovels as could be procured, and by a quantity of musket cartridges belonging to the state, which was near Oswego.

Not having the means of immediate transportation at my command, the quarter-master general of the United States for this district, upon a requisition therefor, caused the state muskets and cartridge-boxes to be transported with those of the United States.

A copy of my answer to general M'Clure's letter (C), and also of a communication made to general Hall (D), is annexed.

On the 31st day of December, a despatch from general Hall (E), came to hand, which gave me reason to hope that further depredations of the enemy would be prevented. But on the 2nd of January, instant, an express brought a second despatch (F), giving the melancholy account of the destruction of Buffalo. Whereupon, colonel Lamb, one of my aids-de-camp, was directed to repair immediately to that frontier, with instructions to confer with general Hall and the other general officers of militia, and with plenary powers to comply with any request within the scope of my authority, and the resources of the state. By him, also, a remittance of some funds was made to major-general Hall, and at the same time, the general was invested with full and entire command over all the militia and means of defence west of Onondaga, for the purpose of resisting the invasion. On his arrival at Onondaga, colonel Lamb informed me that the enemy, except the garrison of fort Niagara, had returned into Canada. On his arrival at Batavia, he confirmed that information, and stated, further, that the people who had fled from their homes were returning to them, and that nothing more could be done by militia on that frontier, at present, than to support and protect the inhabitants against further encroachments. A copy of his final report is herewith submitted (H).

The paper marked (I), contains major-general Hall's official account of his arrangements, and of the battle with the enemy at Black Rock on the 30th of December last. Three reports have since been received from him. (K L O). The copy of an affidavit of Robert Lee, esq. who was taken a prisoner in fort Niagara, (M), also accompanies this message.

The preceding statement, communications and documents, furnish all the information in my possession relative to the late invasion, and will acquaint the legislature with all the measures which have been adopted in consequence of it. It will, I trust, satisfactorily appear from them, that the exertion of all the resources of the state, applicable to the protection of the western district, were promptly exerted in its defence.

It must be ascribed to a great waste or embezzlement of public property on that frontier, that there should have been any deficiency of arms or ammunition for repelling the late invasion; for a number of cannon and a great proportion of all the arms, ammunition and other military stores of every kind, belonging to the state, had been before forwarded to the arsenals at Canandaigua and Batavia, and to Buffalo, and to other places west of Canandaigua, and large quantities thereof had been deposited for the security of the inhabitants in the towns bounded by lake Ontario and lake Erie, and in other places. The whole of the public stores at Canandaigua, and westward of it, from the beginning of the war, have been subject to the orders of major-general Hall, and of every other general officer of militia who might be called into service to repel invasions. A message communicated to the legislature last year, with respect to the distribution of arms and military stores, and the annual report of the commissary of the state, will afford more particular information upon the subject.

I fully concur in the suggestion made by colonel Lamb in his report, which has been likewise mentioned by most of the militia officers of the west, that a description of force more permanent and more to be relied upon than detached militia, is indispensable.

I therefore beg leave to recommend the organization of two regiments of volunteers, of 1000 men each, and a battalion of mounted infantry or riflemen, consisting of 400 men, who may repair to that frontier—relieve the detached militia now there, and remain in service for the time for which the former are bound to serve—that the wages of privates be encreased by the state to ten dollars per month—and, that the volunteers be permitted to choose their own officers. Should the legislature think with me on the above subject, there will be no difficulty in procuring a sufficient number of volunteers immediately. There are equipments belonging to the state, of every kind, west of Canandaigua, sufficient for twice the number of volunteers before mentioned.

Any other plans or arrangements which the wisdom of the legislature may devise for the emergency, will equally meet my cordial co-operation and support.

Many of the brave men who fell at Black Rock, were in the service of the state pursuant to the laws thereof. The laws of the United States may not extend to their families. Those also who were wounded or disabled may not come within the purview of the pension law of the United States. The exercise of further legislative authority will, therefore, be requisite, before the wounded can receive the benefit of the provision contained in the 70th section of the act organizing the militia of this state. Although that section does not extend to the families of those who fall in the service of the state, yet they have claims upon its protection and bounty which the legislature will readily discharge.

DANIEL D. TOMPKINS.

*January 31st*, 1814.

## DOCUMENTS

*Accompanying his excellency the governor's message.*

(A.)

*Albany, Nov.* 26, 1813.

SIR—Let me request you to authorise general M'Clure to garrison forts George and Niagara, in the event of general Harrison's leaving the Niagara frontier for Sacketts' Harbor.

Should the enemy abandon Burlington heights, as appears to be their intention, the garrisons need not be large. Much will depend on the character of the person left in command. To colonel Fleming it might be safely committed. His experience and other valuable qualities fit him for it. The garrisons may be composed either of volunteers or drafted militia. But of whatever description, it is desirable that their term of service should be more than one month.

Let me request the favor of hearing from you on this subject so soon as general M'Clure shall inform you of his arrangements.

I am, sir, very respectfully, your most obedient servant,

(Signed) J. ARMSTRONG.

Governor *Tompkins*.

(B.)

*Albany, Nov.* 28, 1813.

SIR—Having been informed recently, that the regulars is about to leave forts George and Niagara, and believing that there is imminent danger of invasion and distress of our fellow-citizens on the Niagara frontier, I have to request in pursuance of a requisition for that purpose, made through the secretary of the war department of the United States, that you will detach from your division of the militia of this state, and organize and order to that frontier, on or before the 10th day of December now next, men, with the requisite number of officers, non-commissioned officers and musicians, who are to march to fort Niagara, in this state, and report themselves to, and obey the orders of, the commanding officer of militia on that frontier.

Your known zeal in protecting the inhabitants of the frontier of your division, and the emergency of the occasion will, I trust, call forth your utmost exertions to comply with this order.

With great consideration, I have the honor to be sir, your obedient servant,

(Signed) DANIEL D. TOMPKINS.

Major-general *Amos Hall*.

(C.)

[COPY.]

*Albany, Dec.* 24, 1813.

SIR—I have this moment arrived from New-York, and have received your communication detailing the disastrous state of things on the Niagara frontier.—With my letter of the 26th of November last, you were furnished with an order on major-general Hall, to detach from his division such number as you should judge sufficient to garrison forts George and Niagara and to protect the inhabitants of the Niagara frontier. Upon my arrival here, I learn for the first time, that the former has been destroyed, the village of Newark burnt, and fort Niagara made the depot of all the cannon, military stores and equipments on that frontier, with but a handful of men to garrison it. I was not apprized of the intention to evacuate fort George, or to destroy Newark, otherwise I should most assuredly have given direction to have that frontier supplied with a considerable force, to guard against the consequences of the irritation and disposition to retaliate, which the burning of Newark would naturally excite, on the west side of the Niagara river.

Major Bumford has forwarded the following articles:

350,000 musket cartridges,
14,000 flints,
500 muskets, and a quantity of ammunition for field pieces.

Should any further supplies be required, they shall be forwarded immediately. The articles in the state arsenals at Canandaigua and Batavia, are already subject to the orders of militia generals. I understand general Hall has gone out. He will, of course, have the command, and, I have, therefore, addressed a communication to him, containing authority to call for additional numbers of men, and to repel the invasion promptly and effectually. I have also written to the secretary of war, and will communicate the answer and instructions of the president, so soon as they may be received. I hope you will have been able, before the receipt of this, to have expelled, if not destroyed, the invading force.

I am, sir, with regard, your obedient servant,

(Signed) DANIEL D. TOMPKINS.

Gen. George M'Clure.

(D.)

[Copy.] *Albany, Dec. 25th*, 1813.

SIR—On the 26th November last, an order was issued for a sufficient detachment from your division, to secure the inhabitants of the Niagara frontier during the winter. The number was left blank, with directions for general M'Clure to fill it, and deliver the order to you. It was presumed that as he had commanded on the frontier during the fall, he was the best judge of the quantum of force requisite for the above purpose. I was, therefore, much surprised on my return from New-York, this day, to learn the weak and disastrous state of that frontier. The express informs me that you had proceeded, or would proceed to the lines in consequence of that information. The whole of your division is placed at your disposal for the purpose of repelling the invasion, and driving the enemy from our state. You are charged with the command of that frontier for that purpose, and will exert yourself to the utmost to put a prompt and effectual stop to the incursions and depredations of the enemy, by expelling, and if possible, by destroying them.

350,000 musket cartridges, 14,000 flints, 500 muskets, and ammunition for field pieces, have been forwarded by major Bumford, to Canandaigua, where they will be subject to order. The nature of the service to be performed on this occasion, cannot give rise to any questions about the liability of militia to perform it, as the resistance of invasion is the only object. You will consider yourself vested with liberal powers and authority to effect that object, and you will doubtless be zealous to accomplish it.

If there be no other quarters, you can take possession of the houses and other buildings at Buffalo and Black Rock, which I am informed are principally abandoned, and of the huts at Williamsville. You will keep a good look out on the Ridge road, and prevent the enemy from destroying the arsenal and stores at Batavia.

The public property delivered out and not used, under your orders, is to be returned and secured before the militia be dismissed. There was great negligence and waste with respect to the military stores at Niagara, in November and December, 1812, and in the beginning of 1813.

The contractor's agent, major Allen, ought to be notified of the quantity of provisions which may be required, and you will permit me to suggest, that unless you can arm all the militia which may arrive and be unarmed, you had better dismiss them or send them into the interior, until they can be armed; as without arms they will not add to your force, but will exhaust your provisions and deprive the frontier inhabitants of the means of support during the winter.

I am, sir, with great regard, your ob't serv't.

DANIEL D. TOMPKINS.

Maj. gen. Amos Hall.

(E.)

*Buffalo, Dec. 26th, 1813—Evening.*

His excellency governor Tompkins,

SIR—On my receiving information of the enemy's crossing the Niagara river and taking the fort, I immediately set off for that frontier. On my arrival at Batavia, I found a number of volunteers assembled. I tarried one day at that place, to forward them on to the frontier, and make arrangements for those who should follow.

I this day arrived at Buffalo and assumed the command of the troops (being all volunteers) now on this station. The whole number here and at Lewistown, &c, may amount to 2000 of all descriptions. The enemy have made their appearance opposite Black Rock and an invasion is to be expected.

The troops now out can be kept but a few days.—The troops called out on your excellency's last requisition, cannot all arrive at this place until the middle or last of the week. The order did not reach me until the evening of the 16th instant.

Our loss in the capture of Fort Niagara has been immense. What number of brave men have been sacrificed, we have not yet been able to learn. It must have been great.

Several inhabitants have been killed at Lewistown, and among whom it is not ascertained there are any women or children.

I have the honor to be, your excellency's obedient servant,

(Signed) AMOS HALL.

(F.)

*Head-quarters, Niagara Frontier, Dec. 30, 1813—7 o'clock, P. M.*

SIR—I have only a moment to acknowledge the receipt of your letter of the 25th inst. and to add that this frontier is wholly desolate. The British crossed over, supported by a strong party of Indians, at a little before day this morning, near Black Rock. They were met by the militia under my command, with spirit; but overpowered by the numbers and discipline of the enemy the militia gave way and fled on every side. Every attempt to rally them was ineffectual. Their purpose was obtained, and the flourishing village of Buffalo is laid in ruins.—The Niagara frontier now lies open and naked to our enemies. Your judgment will direct you what is most proper in the emergency. I am exhausted with fatigue and must defer particulars until to-morrow.—Many valuable lives are lost.

I have the honor to be, &c.

A. HALL, maj. gen.

(H.)

*Albany, January 29th, 1814.*

SIR—Agreeably to your excellency's orders, I left this city on the 4th instant, and proceeded with all possible dispatch to the Niagara frontier. On my arrival at Bloomfield, in the county of Ontario, I met general Hall, who was on the point of returning to Batavia, to collect the troops who had been detached under your excellency's order of the 26th November, which amounted to 1600 men; and also of another detachment of 1000 which he had ordered out on authority subsequently given him.

On my arrival at Batavia, I found that the inhabitants of that place and the country west, as far as Buffalo, on the main road, had, on receiving information of the landing of the enemy, fled and left their homes, but were generally returning. I proceeded to Buffalo and found that flourishing village totally destroyed. The only buildings remaining in it are the gaol, which is built of stone, a small frame house, and an armorer's shop. All the houses east of Buffalo, on the Batavia road, for two miles, excepting log houses, are also destroyed, and almost every building between Buffalo and Fort Niagara, along the river, had, I was informed, shared the same fate.

The enemy had with him at Black Rock and Buffalo, a number of indians, (the general opinion in that country is about 200) who pursued their accustomed mode of horrid warfare, by tomahawking, scalping and otherwise mutilating the persons who fell into their hands. Among the victims of their savage barbarity, was a Mrs. Lovejoy, who was tomahawked and afterwards burnt in her own house.—The conduct of these savages, has struck the minds of the people on the Niagara frontier with such horror as to make it absolutely necessary, that a more efficient force than the ordinary militia of the country should be employed for its protection to prevent its becoming entirely depopulated.

There was, when I left Batavia between 5 and 600 militia at Williamsville and its vicinity, under the command of general Hopkins, and about the same number on the Ridge road, near the arsenal, under the command of colonel Hopkins. It was the intention of general Hall, who was at Batavia, to make up the number at each of these stations to 1000 men. There were also at Batavia about 100 regulars under the command of major Riddle; who had received orders to march to Williamsville.

As the enemy had re-crossed into Canada, leaving no part of his force in our territory, except the garrison of Fort Niagara, I did not think it necessary for me to remain in the country, or to exercise the plenary powers with which you were pleased to vest me; especially as the authority given to general Hall appeared to me to be amply sufficient to enable him to give a temporary protection to the frontier. I am decidedly of opinion, however, that it is absolutely necessary, that a force of a more permanent and substantial nature than that at present under his command, should be provided with as little delay as possible.

Sir, I have the honor to be, with the greatest respect, your most obedient servant,

ANTHONY LAMB.

His excellency governor Tompkins.

(I.)

*Head-quarters, Niagara frontier, January 6th 1814.*

To his excellency the governor of the state of New-York.

SIR—The confusion into which every thing was thrown by the events of the 30th December, and the imperious necessity of taking precautionary measures against the advances of the enemy, put it out of my power to furnish at an earlier period a detailed account of the operations on this frontier, during my hitherto, unfortunate and embarrassing command—add to this, the extreme difficulty of collecting authentic facts, relative to our loss, since the forces under my command were of that multiform description, which they necessarily were, being composed almost wholly of volunteer militia and exempts, hastily and confusedly assembled in the moment of alarm, and dissipated by the events of a battle.

The storming of Fort Niagara and the burning of Lewistown, presaging further devastation, threw this whole country into the most violent agitation; and the moment, and without any previous preparation I hastened to Batavia, with a view to take such measures as might be within my power, to repel the enemy and protect the frontier. I hastily collected from the militia and volunteers of Gennessee county and the brigade of general Wadsworth, in Ontario a considerable force. But generally deficient in arms and ammunition, and the necessary conveniences of a camp. In the evening of the 22d December, a

M'Clure, with the regulars under command of major Riddle, arrived in Batavia, and on the morning of the 23d, signified by a letter, his desire that I would take the command during this moment of general alarm. I accordingly proceeded to organize in the best manner in my power, the forces then at Batavia, and with the arms and ammunition collected from different sections of the country, and what little could be procured from the arsenals at Canandaigua and Batavia, I was enabled to get under march on the 25th for Lewistown, a body of infantry about 150 strong, under lieut. col. Lawrence, supported by one company of cavalry under command of captain Marvin, with orders to proceed and join a corps of militia, said to be 200 strong, under command of lieut. col. Atchinson, which was stationed at Forsyth's, on the Ridge road, fifteen miles east from Lewistown, to collect and save all the ammunition in his power, which had been removed from the arsenal at Lewistown, and was then dispersed on the road and different parts of the country, and with instructions to act as circumstances and the nature of his force would permit against the enemy; and if practicable to effect a junction with the main force at Buffalo, by the way of Manchester, Schlosser, and thence up the river to Black Rock; leaving as a reserve the corps under colonel Atchinson, at their station near Lewistown. I then ordered the remainder of the troops to Buffalo, with the exception of the regular forces, over whom I assumed no command.

On the morning of the 25th I proceeded to Buffalo, leaving general M'Clure at Batavia with instructions to organize such detachments of volunteers as might arrive, and direct their march for Buffalo. I arrived in Buffalo on the morning of the 26th, and there found a considerable body of irregular troops of various descriptions, disorganized and confused—every thing wore the appearance of consternation and dismay. On the same day I issued an order to the several commandants of corps, for a return of the number of effective men under their command; and an order to captain Camp, A. D. Q. M. general for the return of the ordnance and ordnance stores, in the quarter-master's department; a copy of which return, I have heretofore had the honor to forward to your excellency, and which sufficiently exhibits the destitute condition of that department. On the 27th I ordered a review of all the troops under my command at Buffalo and the Rock, when I found my numerical force to be as follows:

At Buffalo, under lieut. col. Boughton, of the cavalry and mounted volunteers, 129; lieutenant-colonel Blackslee, of Ontario exempts and volunteers, 433; lieut. col. Chapin, of the Buffalo militia, 136; lieut. col. Mallory, of the Canadian volunteers, 97; major Adams, of the Gennessee militia, 332. At the Rock were stationed under the command of brigadier-general Hopkins, 382 effective men, composed of the corps commanded by lieut. col. Warren and lieut. col. Churchill, exclusive of a body of 37 mounted infantry, under command of captain Ransom; 83 Indians under command of lieut. col. Granger, and one piece field artillery, a six pounder, and 25 men, commanded by lieutenant Steely—making my aggregate nominal force on the 27th, to be 1711 men: add to this a regiment of Chatauque militia, under command of lieut. col. M'Mahan, which arrived at Buffalo on the 29th, about 300 men, which swells my force to 2011, which was reduced on the morning of the alarm, by desertions, to less than 1200; and so deficient were my supplies of ammunition, that a greater part of the cartridges for colonel M'Mahan's regiment were made and distributed after they were paraded on the morning of the battle.

The movements of the enemy already indicated their intention of attacking the village of Buffalo or Black Rock, which left me not a moment's repose from the arduous duty of preparing the most effective means in my power for meeting the enemy with the crude force under my command. On the 28th, I was so fortunate as to procure such information as to the enemy's movements, from a citizen who made his escape from Canada, as to leave me no doubt as to their intention.

In the evening of the 29th, at about 12 o'clock, I received information that our horse patrole had been fired on a short distance below Canjokaties Creek, and one mile below Black Rock. Lieut. Boughton, an enterprising and brave officer, who commanded the patrole, had his horse shot under him. The enemy advanced and took possession of the Sailors battery near Canjokaties creek. The troops were immediately paraded and stood by their arms. I was yet uncertain at what point the enemy would attack me: the darkness of the night was not favorable for making observations. I was apprehensive the enemy designed to make a feigned attack below Black Rock, for the purpose of drawing off my force from the village of Buffalo, preparatory to a landing above the village, intending thereby to take it by surprise—at the same time being anxious to anticipate the enemy's landing, and meet them at the water's edge, I gave orders that the troops at the Rock, commanded by colonels Warren and Churchill, (general Hopkins being at that time absent from camp) to attack the enemy and endeavor to dislodge them from the battery and drive them to their boats. The attempt failed through the confusion into which the militia were thrown, on the first fire of the enemy and the darkness of the night: they were dispersed and not again embodied under their proper officers through the day. I then ordered the corps under major Adams and the corps under col. Chapin to make the attack. This was attended with no better effect. The men were thrown into confusion by the enemy's fire, and after skirmishing a short time, fled, and were not again embodied through the day. I then ordered the corps under the command of col. Blakeslie to advance to the attack; and at the same time I put the remainder of my troops in motion for the same point and proceeded by the hill road to Black Rock. On approaching the village at Black Rock, I discovered a detachment of the enemy's boats crossing to our shore and bending their course towards the rear of general Porter's house. The day was now beginning to dawn. I immediately countermanded the order given to colonel Blakeslie to attack the enemy's left and directed them to form and attack the enemy's centre at the water's edge

I now became satisfied as to the disposition and object of the enemy, which I ascertained to be as follows:

Their left wing composed of about 800 regular troops and incorporated militia, and 150 or 200 indians, were disposed below Canjokaties creek, and had been landed under cover of the night. With this force the enemy designed to cover their left, out-flank our right and cut off our retreat by the woods. With their centre, consisting of about 400 of the royal Scots commanded by colonel Gordon, the battle was commenced. Their right, which was purposely weak, was landed near our main battery, under cover of a high bank, and was merely calculated to divert our force from the principal attack; the whole under the command of lieutenant-general Drummond, conducted to the attack by major-general Riall. I thereupon ordered the enemy's left wing, which was discovered to be wheeling up on our right, to be attacked by the indians under command of

lieutenant-colonel Granger and the Canadian volunteers under command of colonel Mallory. At the same time I posted the regiment under command of colonel M'Mahan at the battery, us a reserve, to act as emergencies should require. The attack was commenced by a fire from our 6-pounder under lieutenant Seely, below general Porter's house, and one 24 and two 12 pounders at the battery under command of lieutenant Farnum, of the 21st U. S. infantry, acting as a volunteer. At the same time the enemy opened a heavy fire from their batteries on the opposite side of the river, of shells, spherical and hot shot, and ball. The regiment under command of colonel Blakeslie, about 400 strong, were regularly in a line, together with detached bodies from other corps, amounting, according to the best estimate I can make, in all about 600 men. These few but brave men, commenced the attack with musketry upon the enemy in their boats and poured upon them a most destructive fire. Every inch of ground was disputed with the steady coolness of veterans, and at the expence of many valuable lives. Their bravery, at the same time that it casts a lustre over their names, reflects equal disgrace on those who fled at the first appearance of danger—and whom neither intreaties nor threats could turn back to the support of their comrades. Perceiving that the indians on whom I had relied for attacking the enemy's flank, were offering us no assistance—and that our right was endangered by the enemy's left, I gave directions for the reserve, under command of colonel M'Mahan, to attack the enemy in flank on our right. But terror had dissipated this corps, and but few of them could be rallied by their officers and brought to the attack. Of this corps there were some who merit well of their country—but more who covered themselves with disgrace. The defection of the indians and of my reserve, and the loss of the services of the cavalry and mounted men, by reason of the nature of the ground on which they must act, left the forces engaged, exposed to the enemy's fire in front and flank. After standing their ground for one half hour, opposed to veteran and highly disciplined troops, overwhelmed by numbers and nearly surrounded, a retreat became necessary to their safety, which was accordingly made. I then made every effort to rally the troops, with a view to renew the attack on the enemy's columns, on their approach to the village of Buffalo. But every effort proved ineffectual—and experience proves, that with militia, a retreat becomes a flight, and a battle once ended, the army is dissipated. Deserted by my principal force, I fell back that night to the Eleven Mile Creek, and was forced to leave the flourishing villages of Black Rock and Buffalo a prey to the enemy, which they have pillaged and laid in ashes. At the Eleven Mile Creek I collected between two and three hundred men who remained faithful to their country. With those I preserve the best show of defence in my power, to cover the fleeing inhabitants and check the advances of the enemy. The enemy have gained but little plunder from the public stores. The chief loss has fallen upon the individual sufferers. Eight pieces of artillery fell into the hands of the enemy—of which but one was mounted on a travelling carriage. What little remained of the public stores, capable of being moved, is preserved through the exertions of captain Camp, of the quarter-master's department, whose bravery is only equalled by his active zeal for the public service. It is not in my power to give a particular account of our loss in killed in wounded, as the wounded were generally got off by their friends and taken to their homes, and our dead were mostly buried by the enemy. But from the best information I can collect, our loss is about 30 killed and perhaps 40 wounded. In prisoners our loss is ascertained to be 69—twelve of whom are wounded. The enemy's loss must be much greater, as many were killed in their boats before landing. Their loss may reasonably be presumed in killed and wounded, at not less than 200. Lieutenant-colonel Boughton, of the light dragoons, is among our slain. He was a good officer and a valuable citizen. I regret that it is not in my power to do justice to all those who were engaged on this day. The veteran Blakeslie and his corps were pre-eminently distinguished. There were of the broken remains of other corps many officers and soldiers whose bravery and conduct merits my warmest praise; but having fought irregularly and in detachments, I cannot designate to do them that justice they deserve. The good conduct of lieut. Seely and lieut. Farnum, who had charge of the artillery, was particularly noticed. The cavalry under colonel Boughton, and mounted volunteers under major Warner, receive my thanks for their prompt obedience of orders, and the valuable services rendered in the fatiguing duties of patroling—And, it is a matter of regret, that the nature of the ground on which we contended, deprived me of that support which I might confidently expect from their bravery. To lieut. Frasier, of the United States infantry, I tender my thanks for the voluntary services which he rendered me as one of my staff. To my two aids-de-camps, majors Hosmer and Norton, I cannot withhold my warmest thanks for their cool deliberate bravery, and the alacrity with which they executed my orders from the first movements of the troops in the morning to the close of the day.

I have the honor to be, sir, your excellency's most obed't and humble serv't. A. HALL, *Maj. Gen.*

(K.)

[EXTRACT.]

*Head Quarters, Batavia, January 13th*, 1814.

His excellency, Daniel D. Tompkins, governor.

SIR,—Since my last communication, there has not any thing of importance transpired on this frontier, materially affecting us. On the 8th instant, a detachment under the command of general John Swift, (a volunteer) and lieut. col. C. Hopkins, with a party of about 70 men, surprized a party of the British, who were procuring wood, about half a mile from the fort, fired upon them, killed four of the enemy, lost one of their own men, and took eight prisoners. Subsequent to which, a large force of the enemy were observed to be in motion, which induced our troops on that station, to fall back four or five miles, to a more defencible position, the affair ended here, and all is quiet. In consideration of our feeble force, I have cautioned the commandant on that station against indulging too much in rash enterprizes, until our reinforcement shall have arrived, which may be expected here in 7 or 8 days. I have ordered on to the arsenal at this place, a sufficient supply of arms and ammunition for the forces now on this frontier, and of those expected soon to arrive; so that I flatter myself that within a few days I may be able to pronounce this frontier safe against the encroachments of the enemy.

I regret to add, that our loss, in killed, on the 30th ult. proves to be greater than I had supposed; on re-possessing the ground, we find that our dead were yet unburied. There have been already collected about 50 bodies, and probably there are some yet undiscovered in the woods. The cannon were not removed by the enemy, (excepting the 6-pounder,) nor are they materially injured. The enemy admit their loss, in killed and wounded, to be 300.

I have the honor to remain, sir, most respectfully, your most ob't. and humble serv't.

(Signed) A. HALL, *Major General*

(L.)

[COPY.]

*Batavia, Jan.* 14, 1814.

His excellency governor Tompkins,

SIR—I have nothing to communicate worth remark, since my letter of yesterday. Every thing remains quiet at present on this frontier.

There is one thing I omitted to mention, I believe in my last, which is of much consequence.—There is very little camp equipage for the troops already in service, and the quarter-master's department gives little encouragement of any being provided. It will be impossible for the troops to continue in service without cooking utensils. The detachment now mustering, of 1900 men, will want at least 300 camp-kettles. I know not how they are to be obtained. They are not in our country. I am in hopes there have been some forwarded which will arrive in season.

Col. Lamb will be able to give you the particulars of our situation, more fully than I can write.

I have the honor to be &c.

A. HALL.

(M.)

[COPY.]

ROBERT LEE, late of Lewiston, in the county of Niagara, and state of New-York, gentleman, of the age of forty-two years, being sworn on the holy evangelists, deposeth and saith, that some seven weeks immediately preceding the 19th of December last, he, this deponent, resided in fort Niagara, for the purpose of attending to private business—that about 4 o'clock in the morning of the said 19th, the said fort was attacked or entered by the British. The garrison was not alarmed when the enemy entered the gates of the fort. Some firing took place after they entered the works, particularly between the guard at the south-east block house and the sick in the hospital, at the red barrack, on the part of the Americans with the enemy. This deponent is positive that there were about 400 men, of all descriptions, in the fort immediately before taken, and that 350 of that number were capable and willing to bear arms in that way, to wit, firing on the enemy from the block houses. The principal resistance the enemy met with, was from the sick in the red barrack, as this deponent is informed, and from what he saw, he believes were nearly all slaughtered. The British force that took possession of the fort, were in number about 400, commanded by col. Murray, who was wounded in the arm in entering the gate, and was succeeded in command by col. Hamilton. From the British order of congratulation, that issued on the same morning, it appeared that the Americans lost 65 in killed and 15 wounded, which wounds were principally by the bayonet, as expressed in the order; but the above order issued very soon after they took possession of the fort, and did not include a number that were found bayonetted in the cellars of the houses. This deponent thinks that our loss, in killed, in the whole, amounted to 80. It was a matter of frequent conversation and exultation amongst the British non-commissioned officers and soldiers, whilst this deponent was under guard, that they bayonetted the Americans, notwithstanding their crying out for quarters.

A subaltern and about twenty privates made their escape from the fort by scaling the pickets. Capt. Leonard, the American commander, was at the time the fort was taken, at his farm, about two miles distant, and hearing the attack, made towards the fort, and at no great distance from it was made prisoner by the enemy and kept in close confinement for two days and an half, and how much longer this deponent does not know.

The American soldiers were kept two days in close and miserable confinement, without the use of provisions and with a very scanty supply of wood and water. At the expiration of which the citizens and soldiers were crossed over the river and lodged in a part of what had been the British magazine, at Fort George, the residue in open plank and board huts—in both situations it was impossible to lay down. The magazine was so filthy, that many of the prisoners became infested with vermin, and in that situation remained seven days. The citizens were then removed to a brick building up near Queenstown, where they were so much crowded, that no kind of comfort was to be taken either by day or night. The supply of provisions was not only scanty, but of the very worst kind. Beef of the most inferior and repulsive quality, and bread the quality of which cannot be described—the water that they used both there and at the magazine, they had to purchase.

This deponent believes, that through the influence of an individual in Upper Canada, himself, together with ten other Americans, were permitted, on the 13th inst. to cross to the United States. The residue of the citizens to the amount of about seventy, were marched on the 12th, under a strong guard, to Burlington Heights. And this deponent was informed, that from thence they would be sent to Kingston. The women and children taken at and near Lewiston were stripped of their clothing and taken across the river. And, further this deponent saith not.

(Signed) ROBERT LEE.

*Sworn and subscribed this* 18*th day of January*, 1814, *before me*,

(Signed) J. HARRISON,
*Master in Chancery.*

(O.)

*Extract—dated Batavia, Jan.* 20, 1814.

SIR,—Nothing important has occured on the frontier since I last wrote you. Our scouting partes from the camp near Lewiston occasionally approach within musket shot of fort Niagara. It is ascertained that the enemy keep no guards without the fort. The garrison from the best information that can be obtained, consists of 250 or 300 men, commanded by col. Young, of the 8th regiment. There has been but little appearance of force seen of late opposite Black Rock and Buffalo.

The second detachment of troops are coming in daily, and as fast as they can be organized, are marched on to Williamsville and the cantonment near Lewiston. There being neither axes nor camp kettles on hand in the quarter-master's department, I have been obliged to order a partial supply to be purchased by the assistant-deputy-quarter-master-general at this place until a supply shall arrive.

My force may be calculated as follows:

1st detachment 600 at most.

2d detachment 1200, possibly, making at most, 1800 men.

This force will be stationed at Williamsville and near Lewiston, and nearly equally divided.

You will judge whether the force now on his frontier is sufficient for its defence. If you should consider it necessary to have an additional force, permit me to suggest the propriety of ordering a detachment from some of the other divisions, for it will be almost impossible to detach another regiment from my division. I have the honor to be, &c.

A. HALL.

*His Excellency Gov. Tompkins.*

COMMODORE PERRY AT BALTIMORE.

On his way returning to Newport, R. I. where he is stationed for the present, com. *Perry* made a stop

in *Baltimore*, and spent Monday, Jan. 31, Tuesday, Feb. 1, and Wednesday, the 2nd, with us. On the evening of the 31st ult. he visited the Circus. That spacious building was incompetent to receive the mighty crowd that rushed onward to greet him.—The house was filled, and literally *crammed*, long before the entertainments began; and when the hero entered, he was received with deep, loud and continued acclamation. On Tuesday, agreeably to previous arrangements, he was entertained at *Barney's* "Fountain Inn" in a manner that we beg to be indulged in communicating and recording a detail of, for reasons that may be urged hereafter.*

The great room at the *Fountain Inn* was selected for the occasion. Some of our most distinguished citizens, *viz.* captain *George Stiles*, captain *Samuel Sterett*, major *Isaac M'Kim* and major *Thomas Tenant*,—(two "republicans," two "federalists," *four Americans*)—had been appointed the committee of arrangement; and to their united zeal and perseverance, aided by the correct taste and disinterested exertions of Mr. *John Findlay*, (on whom the burthen of preparing the decorations principally fell) the citizens of Baltimore were indebted for an entertainment presenting an harmonious whole, that has rarely been surpassed. Nor must Mr. *Barney*, who furnished the feast, be forgotten; every thing that was luscious and good—that was pleasing to the palate or delightful to the eye, was presented in ample form and bounteous profusion.

At the head of the room was a large transparent painting, reaching almost across the hall, representing the battle on *Erie*. The accomplished artist had happily seized that moment, when com. *Perry*, "at 45 minutes past two, having thrown out the signal for *close action*," bore up in the *Niagara* and "passed a-head of their two ships and a brig, giving a raking fire to them from the starboard guns, and to a large schooner and sloop, from the larboard side, at half pistol shot distance. The smaller vessels having at this time got within grape and canister distance, under the direction of captain *Elliott*, and keeping up a well-directed fire, the two ships, a brig and a schooner surrendered, a schooner and a sloop making a vain attempt to escape." [See official despatch, page 61.] The painting was finely executed, and its effect was charming.† At the head of the tables was the representation of the stern of a ship, labelled "NIAGARA," on which, as on the quarter deck, were placed the president of the day, *Edward Johnson*, esq. with the HERO, commodores *Lewis* and *Barney* and captains *Spence* and *Ridgely*, of the U. S. navy, and other invited guests. In front of these rose, as in a great column, a bundle of *eighteen arrows*, braced together by massy bands, on which were inscribed the names of *Hull*, *Jones*, *Decatur*, *Bainbridge*, *Lawrence*, *Ludlow*, *Burrows*, *Allen*, *Perry*, in large letters of gold. From the centre of the arrows rose a top-gallant-mast and yard, bearing a flag on which was inscribed the memorable despatch, "*we have met the enemy and they are ours.*" The pedestal was ornamented with naval emblems and wreaths. Over the whole was suspended the *American Eagle*, bearing in his beak a scroll, lettered "*A nation's gratitude the hero's best reward.*" This effigy was so managed that, with outstretched wings, it passed, occasionally, over the company. The windows of the rooms were elegantly curtained with the "*striped bunting*" spangled with *stars*, and which ever way the eye turned it fell on some object to delight the sense, and gratify the patriotic enthusiasm that overflowed every bosom. The music gallery was filled with gentlemen amateurs, and their excellent performances added not a little to embellish and adorn the whole.

The vice-presidents were *Joseph H. Nicholson*, esq. captain *Samuel Sterett*, major *Isaac M'Kim*, colonel *James Biays*, captain *George Stiles* and major *Thomas Tenant*; and the company amounting to between two and three hundred gentlemen, sat down to dinner a little before five o'clock. Dignified order, with heart-felt animation and joy, held uninterrupted sway, until about nine in the evening, when the company broke up and each one went home rejoicing that he had seen that day so honorable to all concerned in the *tribute of gratitude to the hero of Erie*.

The following were the toasts drank on this occasion:

1. *Our Country*—May Union, the Palladium of our political safety and prosperity, be the primary object of patriotic desires.

2. *The splendid Victories of our infant Navy*—Precursors of more brilliant achievments.—Already has our proud, and hitherto triumphant foe, been forced to exclaim, "when Greek meets Greek, then comes the tug of war."

3. *The President of the United States*—From youth to age, the assertor of American rights and human freedom.

4. *The memory of Washington*—Whose first act was a defence of his Country, and whose last breath an exhortation to *Union*.

5. *The Vice-President and Heads of Department*—A band of American Revolutionaries, re-assembled in front of their countrymen.

6. *The Judiciary of the United States*—Firm, wise and independent.

7. *The wars of Europe*—May the millions sacrificed to mad ambition, teach us to estimate more highly our own free Constitution.

8. *The Mission to Gottenburg*—May it produce a speedy and honorable peace. [3 *cheers.*

9. *Our Maritime and Social Rights*—With peace if possible; but our Maritime and Social Rights untouched forever. [3 *cheers.*

10. *Agriculture, Manufactures and the Arts*—Real sources of national independence and greatness—prosperity to them.

11. *The Army of the United States*—When more experienced in the art of war, honor and the love of country will render it invincible.

12. *The Navy of the United States*—

Old Ocean sounds its praise—
The Lakes re-echo the sound— [9 cheers.

13. *The Pillar of our Naval Glory*—Like the pillar of the cloud and of fire, may it eternally direct the true course to national honor and prosperity.

14. *The 10th of September*, 1813—Rendered memorable in the annals of our country by the decisive and glorious victory on lake Erie. [9 cheers.

[As the several toasts were announced, the music struck up a patriotic air. But when this was repeated by the vice-president, the company directed its attention in silence towards the musicians wondering why they did not play. Suddenly the roll of a drum, as if first at a great distance, was heard behind the transparency, and every eye was turned that way. The roll grew louder and louder, and having reached its entire force, down came the *British* flag from the enemy's ship in the foreground of the picture—then the full band struck up *Yankee Doodle*, and the British flag was hoisted *under* the American ensign! Very few of the company were aware of this;

* The editor makes this remark because it is not his custom, in any way, to *localize* the contents of the REGISTER; though, indeed, this is the nation's business.

† See the 14th toast.

it is folly to attempt to describe the feelings it excited.]

15. *The brave who have fallen in the present war*—May the names and valorous deeds of a *Pike*, a *Lawrence*, a *Burrows*, and an *Allen*, live for ever in the affectionate recollections of that country for which they died.

16. *The American title to eminence*—Wisdom and goodness, patriotism and disinterestedness, the defence of the country and defeat of its enemy.

17. *Captain Jesse Elliot*—Second in command on lake Erie—a brave son of Maryland, and an honor to his country. [9 *cheers.*

18. *The Fair Sex*—Next to the approbation of God and Country, their smiles are the Hero's reward.

*By Commodore Perry!*—COMMERCE—May she continue to dispense her favors with a liberal hand, on her favorite Port—Baltimore. [9 cheers.

After Commodore Perry retired.

COMMODORE PERRY—*Erie's first and great Hero.*—"*Exegi monumentum* ERIE PERE*-nnius.*" [9 *cheers.*

VOLUNTEER TOASTS DRANK ON THE OCCASION.

By capt. *Spence* (of the U. S. navy, one of the invited guests)—Anchors and Ploughs—six of one, and half a dozen of the other.

By *Eli Simpkins*—The heroes of lake Erie—*unlike* the iron race of *Cadmus*; they destroy their *enemies*.

By *John Wilson*—Non-expatriation—may this doctrine be speedily expunged from the code of nations, that mankind may be as free in the choice of habitation as the eagles of Heaven.

By commodore *Lewis* (of New York, an invited guest)—The *Chancellor* of lake Ontario—the man who *decides his cause* by a *summary* mode.

By *John M'Kim*, jun.—Palsied be the heart that would rejoice at the successes of the enemies of their country; and withered be the arm and the tongue, that would act against the honor and indivisibility of the United States of America.

By captain *Ridgely* (an invited guest)—Commodore TRUXTON, the *first* in our *Constellation*.

By Mr. *Frisby*—Our dear native country—disgrace to the man who would not die in her defence.

By capt. *Stiles*—THOMAS JEFFERSON, the author of the declaration of American Independence.

By capt. *Piper*—The flag of our country—the brilliant achievments of our naval heroes have added to its stars an imperishable lustre.

By *R. C. Armstrong*—The venerable governor of Kentucky—May more of our state governors imitate his patriotism.

By capt. *J. Sullivan*—JOHN Q. ADAMS, who has shewn his *devotion* to country, by *abandoning* party.

By capt. *S. Sterett*—When our country calls, may the name "*American*," exalt us above party distinctions, and prove the rallying word to freemen.

By ———The *star* in the *east*—SAMUEL DEXTER.

By major *Lane*—The citizens of Baltimore, who know how to mingle hospitality with patriotism.

By *John Diffenderffer*—The brave tars, who accompanied the gallant PERRY in passing from the *Lawrence* to the *Niagara*, on the memorable 10th of September, 1813.

By Dr. *Allender*—General JAMES WILKINSON, the accomplished soldier, scholar and patriot—may his health be speedily established.

By *C. Hughes*, sen.—Fifty 74's well manned and fitted—a convoy to American commerce and commodore PERRY.

By *R. Purviance*—Capt. ISAAC HULL—the thunder of his cannon awakened the world from the dream of British invincibility.

By major *Tenant*—The memory of the gallant PREBLE—the pillars of Hercules shook with his thunder, and the walls of Tripoli bear the inscriptions of his valor.

By major *Armistead*—General WINDER, of the United States' army.

*After the gentlemen retired to whom the following allude,*

By capt. *S. Sterett*—Our late president—the mayor of Baltimore.

By major *C. S. Ridgely*—Captains RIDGELY and SPENCE—they only want an opportunity equally to distinguish themselves in the service of their country.

By WM. METZER—Captain SAMUEL STERETT, the friend of his country.

After the committee of arrangements had retired,

*By major W. Pechin.*—The committee of arrangements, and the artist who exerted his talents on this occasion—The *splendor* of their preparations to greet the *Hero*, could only be equalled by his *own* signal achievment; and the animated and patriotic zeal of the citizens of Baltimore to evince their respect and do *him* honor.

The ladies of *Baltimore* also rivalling the gentlemen in respect for the defenders of their beloved country, invited commodore *Perry* to a ball, which was given in honor of him on the night of the 2d instant. The assembly room was prepared and furnished in the most elegant manner; but we have not received a particular account of the entertainment. The hero left this city the next morning, delighting all by the modesty of his deportment. Speaking of his appearance here, the editors of the "*Baltimore Patriot*" selected the following happy quotation from the great poet of nature:

"You would have thought the very windows spoke!
"So many greedy looks of young and old,
"Through casements darted their desiring eyes
"Upon his visage; and that all their walls,
With painted imagery, had said at once,
"JESU PRESERVE THEE!" *Shakespeare.*

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*Copy of a letter from captain J. H. Dent, commanding on the Charleston station, to the secretary of the navy, dated*

*Charleston, 31st January*, 1814.

SIR—I have the honor to inform you that yesterday morning, about 4 o'clock, I received information express from Stono, that the United States schooner Alligator had been the evening before chased in by an enemy's squadron, and attacked in the night by a detachment of boats. I immediately repaired to the place, and ordered two barges round, and a detachment of seamen over land, from the Nonsuch to her assistance. About 8 A. M. I got on board the Alligator, then some distance up the river. I received the following information from sailing master Basset, her commander; that he sailed on Saturday morning from the river of North Edisto, for Charleston—soon after leaving the bar, discovered an enemy's squadron, consisting of a frigate, a heavy brig, and a hermaphrodite, which gave chase to him—wind light from the S. W. he found that the frigate would cut him off from Charleston, and in the evening run into the river, and hove to; the enemy then close off the bar, and from their manœuvres was of opinion they intended to send in their boats. He stood up the river about two miles, and anchored, prepared for action. About a quarter before 3 A. M. the moon very bright, discovered six of the enemy's boats shove off from under the marsh, abreast him and within pistol shot (having under cover of the marsh, with muffled oars, approached this near without discovery)—he immediately gave them a broadside, which was returned; cut his cable and made sail; when the action continued for 30 minutes, close on board,

*Æve perennius.

soon after making way, the pilot was unfortunately mortally wounded, and the schooner grounded; at that time their two largest barges were disabled, and about musket shot distance astern, when they retreated, and have not since been seen. The Alligator's rigging and sails, from the topsail yard down, are literally cut to pieces, and but few shot in her hull, two men killed and two wounded, one severely, and the pilot (Mr. Hatch, a very respectable master of a vessel in this port, having a large family depending entirely on his exertions for support) mortally wounded. Great credit is due to sailing master Bassett, his officers and crew, for defeating a force so greatly superior in numbers, as there could not have been less than 140 men opposed to 40. The enemy, by the information received from the inhabitants immediately on the river, must have suffered severely, as there was great confusion on board them while retreating, and the largest boat appeared to be so much injured as to require the assistance of the others. I left the schooner last night in Wappoo Cut, and will be here as soon as the weather will admit. When I receive Mr. Basset's official report, I shall do myself the honor to forward it for your further information.

I have the honor to be, with great respect, your obedient servant,

J. H. DENT.

Hon. Wm. Jones, secretary of the navy.

The following is the *official account* of the attack on the U. S. schooner Alligator, by the British barges, as transmitted to commodore *Dent*:

*U. S. schooner Alligator, Wappoo, Jan.* 31, 1814.

SIR—I have the honor to inform you, that the U. S. schooner Alligator, under my command, was attacked on the evening of the 29th instant, then lying to an anchor in Stono river, and abreast of Coles' Island, by six boats from an enemy's squadron off the mouth of the river, and succeeded in beating them off, after a warm action of 30 minutes. I have to regret on this occasion, the loss of two men killed and two wounded; one of the latter, the pilot, Mr. *Robert Hatch*, severely. This brave man fell at the helm, exhorting those around him to take good aim at the enemy. I hope his good conduct will entitle him to your notice. It is impossible to ascertain what loss the enemy sustained; but from suddenly ceasing their fire from the two large launches, and the other boats joining them immediately, I am induced to believe they suffered severely, as the schooner grounded, and they did not renew the action. The sails and rigging of the schooner are much cut, but no damage sustained in the hull. I cannot conclude without rendering my thanks to the gallant officers and men you did me the honor to place under my command, for their meritorious conduct, which alone prevented the schooner from falling into the hands of an enemy of more than treble our number.

With great respect, &c.

(Signed) R. BASSETT.

J. H. Dent, Esq. commanding naval officer, Charleston.

*A list of killed and wounded.*

Killed, Joseph Bates, seamen; William Fields, seaman.

Wounded, Mr. Robert Hatch, dangerously; James M'Gee, severely.

*Extract from the log-book.*

Jan. 30, 1814—Pleasant weather, wind S. W, at 1 P. M. anchored abreast of Coles' Island; at 4, P. M. the frigate and brig close in with the breakers, when, after lying too some time, made sail and stood to the southward. From their movements, I was of opinion they would attempt to cut us out in the night; every preparation was accordingly made to receive them. At 30 minutes past 7, P. M. six boats were discovered under the south side of the river and under cover of the marsh, with muffled oars—when within speaking distance, they were hailed, and receiving no answer, a musket was fired, which they returned with a shower of musketry and grape shot, accompanied with three cheers—a broadside was returned, the cable instantly cut, and sail made on the vessel—there being at this time a light breeze from the southward and westward. The enemy's boats were then distant about thirty yards, when a heavy fire was opened from our battery and small arms, and kept up by the enemy for 20 minutes, when they were compelled to drop astern in great disorder. About this time the schooner grounded on a shoal, the pilot being wounded in the early part of the action—the boats were not seen again.

## SUMMARY NOTICES.

The senate of *New York* have originated a bill appropriating $50,000 for the relief of the inhabitants of the *Niagara* frontier. The house of assembly has refused to assume the payment of the states' quota of the direct tax. Gen. *Wilkinson* took up his quarters at *Plattsburg* about the 20th ult. Nothing new in the north. Gen. *Harrison* has resumed the command of his district, but no important event has lately transpired in that quarter. There has been much violent debate in the legislature of *Massachusetts*—but all is working for the best. *Falmouth*, Cape Cod, (Ms.) has been cannonaded by the English, who fired 300 shot on the town; several houses injured, but no person hurt. The seventy-four that was aground near *New London* has been got off. Brig. Gen. *Claiborne* had gained a victory over the Creeks, killed many of them, burnt two of their towns, and destroyed vast quantities of their supplies. A large body of the Creeks in another part of the country attacked Gen. *Floyd*, with great address and impetuosity, but they were defeated with loss. They left thirty-seven dead on the field; we had seventeen killed. The official details of these battles are received, and will be inserted of course. *Albert Gallatin* has been appointed one of the mission to *Gottenburg* *George W. Campbell*, of Tennessee, has been appointed secretary of the treasury. It is stated that *Richard Rush*, comptroller of the treasury, is to be attorney-general of the United States *vice* Mr. *Pinkney*, resigned. In *congress*, the proceedings were not very important until Wednesdsy, when Mr. *Eppes*, from the committee of ways and means (the bill for the loan being before the house) reported an estimate of the receipts and expenditures for the year 1814, to which he added many highly interesting statistical facts. It is with much regret that these things are postponed, but they *must* lay over.

## THE CHRONICLE.

It was briefly noted in our last that *Holland*, &c. had thrown off their dependence on *Napoleon*. It appears indubitable that the Dutch have risen and driven out the *French*. Some small parties of the allied forces have entered *Holland*, and a provincial government has been formed in the name of the *Prince of Orange*. *Switzerland* has levied a military force and declared itself neutral. All the princes of the confederation of the Rhine have joined the allies, or are subject to them. *Austria* has recovered some part of her former possessions in *Italy*; where, however, *Beauharnois* was with a well appointed and entire army. But the colossal power of *Bonaparte* is mightily shaken, and it will cost rivers of blood, to regain the stand he lately had, *if it be possible*. The former great fault of the allies against *France* was their quarrels with each other; if they avoid that rock, *Napoleon* will have enough to do to hold his power in *France*, the *Rhine* being his boundary on the north. The Texel fleet of 15 sail of the line and 4 frigates, has fallen into the hands of the English, after a hard fight.

# THE WEEKLY REGISTER.

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*Hæc olim meminisse juvabit.*—Virgil.

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## The Armed Neutrality of 1780

The editor of the Register believes that the following important papers, which should belong to this work of *reference*, will, at the present moment, be doubly acceptable to his readers. [See page 407.]

"The declaration of the king of Denmark and Norway to the courts of London, Versailles and Madrid.

"If the most exact and perfect neutrality, with the most regular navigation, and the most inviolable respect to treaties, could have exempted the commerce of the subjects of the king of Denmark and Norway from the inroads of the powers with whom he is at peace, and kept it free and independent, it would not be necessary to take measures to insure to his subjects that liberty to which they have the most incontrovertible right. The king of Denmark has always founded his glory, and his grandeur, upon the esteem and confidence of other nations. It has been his rule, from the beginning of his reign, to testify to all the powers, his friends, a conduct the most capable of convincing them of his pacific intentions, and of his desire to contribute to the general happiness of Europe. His proceedings have always been conformable to these principles, against which nothing can be alleged; he has, till now, only addressed himself to the powers at war, to obtain a redress of his grievances; and he has never wanted moderation in his demands, nor acknowledgments when they received the success they deserved; but the neutral navigation has been too often molested, and the most innocent commerce of his subjects too frequently disturbed; so that the king finds himself obliged to take proper measures to assure to himself and his allies the safety of commerce and navigation, and the maintenance of the inseparable rights of liberty and independence. If the duties of neutrality are sacred, the law of nations has also its rights avowed by all impartial powers, established by custom, and founded upon equity and reason. A nation independent and neutral, does not lose by the war of others the rights which she had before the war, because peace exists between her and all the belligerent powers. Without receiving or being obliged to follow the laws of either of them, she is allowed to follow, in all places (contraband excepted) the traffic which she would have a right to carry on, if peace existed with all Europe, as it exists with her. The king pretends to nothing beyond what the neutrality allows him. This is his rule, and that of his people: and the king cannot accede to the principle, that a power at war has a right to interrupt the commerce of his subjects. He thinks it due to himself, and to his subjects, the faithful observers of these rules, and to the powers at war themselves, to declare to them the following principles, which he has always held, and which he will always avow and maintain, in concert with the empress of the Russias, whose sentiments he finds entirely conformable with his own.

"I. That neutral vessels have a right to navigate freely from port to port, even on the coasts of the powers at war.

"II. That the effects of the subjects of the powers at war shall be free in neutral vessels, except such as are deemed contraband.

"III. That nothing is to be understood under the denominations of contraband, that is not expressly mentioned as such in the third article of his treaty of commerce with Great Britain, in the year 1670, and the 26th and 27th articles of his treaty of commerce with France, in the year 1742; and the king will equally maintain these rules with those powers with whom he has no treaty.

"IV. That he will look upon that as a fort blocked up, into which no vessel can enter without evident danger, on account of vessels of war so stationed there as to form an effectual blockade.

"V. That these principles shall serve for rules in law proceeding, and that justice shall be expeditiously rendered, by the maritime regulations, conformably to treaty and usage received.

"VI. His majesty does not hesitate to declare, that he will maintain these principles with the honor of his flag, and the liberty and independence of the commerce and navigation of his subjects; and that it is for this purpose he has armed a part of his navy, although he is desirous to preserve, with all the powers at war, not only a good understanding, but all the friendship of which the neutrality can admit. The king will never recede from these principles, unless he is forced to it: he knows his duties and his obligations, he respects them as he does his treaties, and desires no other than to maintain them. His majesty is persuaded, that the belligerent powers will acknowledge the justness of his motives; that they may be as averse as himself to doing any thing that will oppress the liberties of mankind, and that they will give their orders to their admiralty and to their officers, conformably to the principles above recited, which tend to the general happiness and interest of all Europe.

"*Copenhagen, July* 8, 1780."

"A copy of the maritime treaty between the empress of Russia and the king of Denmark, acceded to by the king of Sweden and states general of the United Provinces.

"Art. I. Their respective majesties are fully and sincerely determined to keep upon the most friendly terms with the present belligerent powers, and preserve the most exact neutrality: they solemnly declare their firm intention to be, that their respective subjects shall strictly observe the laws forbidding all contraband trade with the powers now being, or that may hereafter be, concerned in the present disputes.

"II. To prevent all equivocation or misunderstanding of the word contraband, their imperial and royal majesties declare, that the meaning of the said word is solely restrained to such goods and commodities as are mentioned under that denomination in the treaties subsisting between their said majesties and either of the belligerent powers. Her imperial majesty abiding principally by the Xth and XIth articles of the treaty of commerce with Great Britain; the conditions therein mentioned, which are founded on the right of nations, being understood to extend to the kings of France and Spain; as there is at pre-

sent no specific treaty of commerce between the two latter and the former.—His Danish majesty, on his part, regulates his conduct in this particular by the first article of his treaty with England, and XXVIIth and XXVIIth of that subsisting between his said majesty and the king of France, extending the provisions made in the latter to the Catholic King; there being no treaty *ad hoc*, between Denmark and Spain.

"III. And whereas by this means the word *contraband*, conformable to the treaties now extant, and the stipulations made between the contracting powers, and those that are now at war, is fully explained; especially by the treaty between Russia and England of the 20th of June, 1766; between the latter and Denmark, of the 11th of July, 1670; and between their Danish and most christian majesties of August 23d, 1742; the will and opinion of the high contracting powers are, that all other trade whatsoever shall be deemed and remain free and unrestrained.

"By the declaration delivered to the belligerent powers, their contracting majesties have already challenged the privileges founded on natural right, whence springs the freedom of trade and navigation, as well as the right of neutral powers; and being fully determined not to depend in future merely on an arbitrary interpretation, devised to answer some private advantages or concerns, they have mutually covenanted as follows:

"First, That it will be lawful for any ship whatever to sail freely from one port to another, or along the coast of the powers now at war.—2ndly, That all merchandize and effects belonging to the subjects of the said belligerent powers, and shipped on neutral bottoms, shall be entirely free; except contraband goods.—3dly, In order to ascertain what constitutes the blockade of any place or port, it is to be understood to be in such predicament, when the assailing power has taken such a station as to expose to imminent danger any ship or ships that would attempt to sail in or out of the said ports.—4thly, No neutral ships shall be stopped without a material and well grounded cause: and in such cases justice shall be done to them without loss of time; and besides indemnifying, each and every time, the party agrieved, and thus stopped without sufficient cause, full satisfaction shall be given to the high contracting powers for the insult offered to their flag.

"IV. In order to protect officially the general trade of their respective subjects, on the fundamental principles aforesaid, her imperial, and his royal majesty have thought proper, for effecting such purpose, each respectively to fit out a proportionate quota of ships of war and frigates. The squadron of each of the contracting powers shall be stationed in a proper latitude, and shall be employed in escorting convoys according to the particular circumstances of the navigators and traders of each nation.

"V. Should any of the merchantmen belonging to the subjects of the contracting powers sail in a latitute where shall be no ships of war of their own nation, and thus be deprived of the said protection; in such case, the commander of the squadron belonging to the other friendly power shall, at the request of such merchantmen, grant them sincerely, and *bona fide*, all necessary assistance. The ships of war and frigates, of either of the contracting powers, shall thus protect and assist the merchantmen of the other: provided nevertheless, that under the sanction of such required assistance and protection, no contraband be carried on, nor any prohibited trade contrary to the laws of the neutrality.

"VI. The present convention cannot be supposed to have any relative effect; that is, to extend to any differences that may have arisen since its being concluded; unless the controversy should spring from continual vexations which might tend to aggrieve and oppress all the nations of Europe.

"VII. If notwithstanding the cautious and friendly care of the contracting powers, and their steady adherence to an exact neutrality, the Russian and Danish merchantmen should happen to be insulted, plundered, or captured, by any of the armed ships or privateers belonging to any of the belligerent powers: in such case the ambassador or envoy of the aggrieved party, to the offending court, shall claim such ship or ships, insisting on a proper satisfaction, and never neglect to obtain a reparation for the insult offered to the flag of his court. The minister of the other contracting power shall at the same time, in the most efficacious and vigorous manner, defend such requisition, which shall be supported by both parties with unanimity. But in case of any refusal, or even delay in redressing the grievances complained of; then their majesties will retaliate against the power that shall thus refuse to do them justice, and immediately agree together on the most proper means of making well founded reprisals.

"VIII. In case either of the contracting powers, or both, at the same time, should be in any manner aggrieved or attacked, in consequence of the present convention, or for any reason relating thereto; it is agreed, that both powers will join, act in concert for their mutual defence, and unite their forces in order to procure to themselves an adequate and perfect satisfaction, both in regard to the insult put upon their respective flags, and the losses suffered by their subjects.

"IX. This convention shall remain in force for and during the continuance of the present war; and the obligation enforced thereby, will serve as the ground-work of all treaties that may be set on foot hereafter: according to future occurrences, and on the breaking out of any fresh maritime wars which might unhappily disturb the tranquility of Europe. Meanwhile, all that is hereby agreed upon shall be deemed as binding and permanent, in regard both to mercantile and naval affairs, and shall have the force of law in determining the rights of neutral nations.

"X. The chief aim and principal object of the present convention being to secure the freedom of trade and navigation, the high contracting powers have antecedently agreed, and do engage to give to all other neutral powers free leave to accede to the present treaty, and, after a thorough knowledge of the principles on which it rests, share equally in the obligations and advantages thereof.

"XI. In order that the powers, now at war, may not be ignorant of the strength and nature of the engagements entered into by the two courts aforesaid; the high contracting parties shall give notice, in the most friendly manner, to the belligerent powers, of the measures by them taken; by which, far from meaning any manner of hostility, or causing any loss or injury to other powers, their only intention is to protect the trade and navigation of their respective subjects.

"XII. This convention shall be ratified by the contracting powers, and the ratifications interchanged between the parties in due form, within the space of six weeks, from the day of its being signed, or even sooner if possible. In witness whereof, and by virtue of the full powers granted us for the purpose, we have put our hands and seals to the present treaty.

"Given at Copenhagen, July the 19th, 1780.

(Signed) CHARLES D'OSTEN, called SOKEN,
J. SCHACK RATLAU,
A. P. COMPTE BERNSTORFF,
O. THOFT,
H. EIKSTEDT

" Acceded to, and signed by the plenipotentiaries of the court of Sweden, at Petersburgh, the 21st of July, 1780, and by the states general accepted November 20, 1780, and signed at Petersburgh, January 5, 1781, with the addition only of article

" XIII. If the respective squadrons, or ships of war, should meet or unite, to act in conjunction, the command in chief will be regulated according to what is commonly practised between the crowned heads and the republic."

## Kentucky Legislature.

*Monday, January 10.*—Mr. *Hills* read and laid on the table the following resolutions:

The legislature of Kentucky, claiming a right to express their opinion on national measures—to censure a departure from rectitude, or applaud a correct course of conduct practised by the officers of the Union, now attempt to declare the sentiments of the members composing this body, and as we believe of our constituents, on the present interesting crisis of our foreign relations, and the internal concerns of the general government. We deem this a privilege, which we cannot abandon, either as individuals, or in a corporate capacity.

We have hitherto declared a decided opposition to the embarassing edicts of Great Britain, calculated to lessen our independence, and degrade our character as a nation among the empires of the world.—This state was not the last to recommend an appeal to the sword as the ultimate redress; she still deems that decision the only wise alternative; and she will not be the first to retrace her steps, and recede from that momentous resort so imperiously demanded by the interest of the nation, with whose welfare, our own as a state is not only connected, but completely identified. Still deeming it important, while engaged in the arduous struggle, and feeling the vicissitudes of war, to brace the arm and strengthen every nerve of the nation, this legislature concurs in the following resolutions, as expressive of the sense of the state.

*Resolved*, by the senate and house of representatives of the commonwealth of Kentucky, that we still firmly adhere to the general government, and retain our attachment to the federal constitution, which binds us together, and with the fate of which we combine that of our own existence.

*Resolved*, That we still possess an unabated confidence in the present administration of our national government now vested in the hands of the executive competent to steer the helm of state between the vortex of domestic faction and the menaced rocks of foreign war.

*Resolved*, That the overtures of peace made to the British government by ours, since the declaration of war, and the speedy acceptance of the abortive mediation of Russia, are irrefragable evidences (if evidence was wanting) of the necessity of the war, and a sincere desire of peace.—But those advances on our part have reached a point, below which no independent government ought to descend.

*Resolved*, That the restriction on our commerce lately enforced by an embargo, is wise, expedient and politic—and repays privation and self denial, by preventing the supplies of the enemy, from our own resources. We cordially approve its adoption, and and doubt the patriotism that hesitates to submit to the national sacrifice.

*Resolved*, That the governor of this state be and he is hereby requested, to transmit a copy of the foregoing resolutions to the president of the United States and each of our senators and representatives in congress.

## Congress.

HOUSE OF REPRESENTATIVES.

*Thursday, February 3.*—Mr. Fisk, of N. Y. offered the following:

*Resolved*, That a committee be appointed to enquire in what manner the contracts for supplying the army of the United States have been made and executed, and to what extent the general officers have interfered in such contracts prejudicially to the public interest and the rights of individuals. Agreed to.

On motion of Mr. Troup, of Geo. the house resolved itself into a committee of the whole, Mr. Stanford in the chair, on the bill authorising the president to retain in service certain volunteer corps.

Mr. Troup stated the object and design of the bill. By a law passed in 1812, the president was authorized to accept the service of fifty thousand volunteers. Under this law, as many men as made up about six regiments had been called into actual service, viz: one regiment in New-Hampshire and Maine, two in New-York, one regiment partly organized in Virginia, two in the state of Louisiana and the Mississippi territory. Their terms of service were daily expiring—but a certain number yet remained in service. It had been understood that a certain portion of them, amounting to perhaps a thousand men were willing to serve during the war under their own officers. Many of the officers had proved themselves worthy, and entitled themselves to the approbation of their government. The object of this bill was to enable the government to accept the services of such men as were thus disposed to serve during the war.

No objection being made, the committee rose and reported the bill.

After several motions to amend the bill, one of which went to limit the number to be called into service to 1000 men, it was ordered to be engrossed for a third reading.

*Friday, February 4.*—Mr. Lowndes, of S. C. from the committee of naval affairs, reported the following resolution.

*Resolved*, That the president be requested to present a sword to the nearest male relation of midshipman John Clark, who was slain gallantly combatting the enemy in the glorious battle on lake Erie, under the command of captain Perry, and to communicate to him the deep regret which congress feels for the loss of that brave officer.

The resolution was twice read, and subsequently ordered to be engrossed for a third reading.

[It appears that the name of the deceased was omitted or overlooked, in the former resolution on this subject.]—Ed. Reg.

The volunteer bill alluded in yesterday's proceedings, was passed.

Mr. Calhoun, of S. C. moved that the committee of the whole be discharged from the further consideration of the report of the committee of ways and means, on the petition from New-York, for the establishment of a national bank, and that the same be re-committed to the same committee, with a view of making a further motion on that subject.—Agreed.

Mr. Calhoun then said that it would be found that the committee of ways and means had decided against that report, on the ground of unconstitutionality of establishing such a bank as that asked for in the petition. Mr. C. wished to enquire into the expediency of establishing such a national bank *within the district of Columbia*, the power to which it could not be doubted came within the constitutional powers of congress. For all practicable purposes he believed such a bank would be as useful as that which was proposed. To come at his object, Mr. C. proposed the following motion:

*Resolved*, That the committee of ways and means be instructed to enquire into the expediency of establishing a national bank, to be located in the district of Columbia.

Mr. *Hanson* made a motion about *Turreau's* letter which the house refused to consider.

*Saturday, February 5.*—The proceedings of Saturday were chiefly of a local and uninteresting nature. In the course of the day, Mr. Ingersoll submitted the following resolution:

*Resolved*, That the president of the United States be requested to cause to be laid before this house such information as may be obtained respecting the general post-office establishment of the U. States.

The resolution was ordered to lie on the table and to be printed.

*Monday, February 7.*—Mr. Cuthbert, the new member, from Georgia, vice Mr. Bibb, appeared and took his seat.

After several private petitions had been disposed of——

The house resumed the consideration of the bill "to provide for the return to their own districts of vessels detained by the embargo, in districts other than those where they are respectively owned or belong."

Many motions were made to amend the bill, some of which produced considerable discussion——the house adjourned without a decision.

*Tuesday, February 8.*—The house resumed the unfinished business of yesterday respecting embargoed coasters. It was finally ordered to be engrossed for a third reading.

The bill that passed the house some days ago for the conversion of five regiments of infantry into riflemen, being returned from the senate with an amendment that went to *raise* three regiments of riflemen instead of converting the five as aforesaid, a long debate took place which terminated with a vote to concur with the senate's amendment—ayes 81, nays 67.

*Wednesday, February 9.*—Mr. Newton, from the committee of commerce and manufactures made an unfavorable report on the bill from the senate to permit the departure of *Paul Cuffe*, &c. Referred to a committee of the whole. Mr. *Grundy* presented a resolution of the legislature of Tennessee, to alter the constitution of the United States so as to limit the term of service for senators of the United States to *four* years—referred.

The engrossed bill for the relief of embargoed coasters [which permits them to return to the places where they belong] was read a third time and passed by yeas and nays as follows:

AYES—Messrs. Alexander, Alston, Anderson, Archer, Bard, Barnett, Baylies, (of Mass.) Bayly, (of Va.) Beall, Bowen, Bradbury, Breckenridge, Brigham, Brown, Butler, Caperton, Caldwell, Champion, Chappell, Clopton, Comstock, Conrad, Crawford, Crouch, Cuthbert, Eppes, Evans, Finlay, Forney, Forsythe, Franklin, Gholson, Goldsborough, Goodwyn, Gourdin, Grundy, Hale, Hall, Harris, Hasbrouck, Hopkins, of N. Y. Hubbard, Humphreys, Hungerford, Ingersoll, Ingham, Irwin, Irving, of N. Y. Jackson, (of R. I.) Jackson, (of Va.) Johnson, (of Va.) Kennedy, Kent, (of N. Y.) Kerr, Kershaw, King, (of Mass.) Lefferts, Macon, M'Coy, M'Kim, Montgomery, Murfree, Newton, Ormsby, Parker, Pickens, Piper, Pleasants, J. Reed, Rea, (of Pa.) Rhea, (of Ten.) Rich, Ridgely, Roan, Roberts, Ruggles, Sage, Sevier, Sheffey, Sherwood, Skinner Smith, (of Pa.) Smith, (of Va.) Stanford, Strong, Sturges, Tannehill, Taylor, Troup, Thompson, Udree, Vose, Ward, (of Mass.) Ward, (of N. J.) White, Whitehill, Wilson, (of Mass.) Wilson, (of Pa.) Wood Yancey—100.

NAYS—Messrs. Avery, Bigelow, Boyd, Bradley, Cilley, Culpepper, Davenport, Davis, (of Mass.) Davis, (of Penn.) Denoyelles, Dewey, Farrow, Fisk, (of N. Y.) Geddes, Grosvenor, Hanson, Hawes, Howell, Lewis, Lovett, Lyle, M'Kee, Moffit, Moseley, Markell, Pearson, Pickering, Post, Potter, Schureman, Shipherd, Smith, (of N. Y.) Stockton, Stewart, Taggart, Tallmadge, Wheaton, Wilcox, Williams, Winter—40.

THE LOAN FOR 1814.—On motion of Mr. Eppes, of Va. the house resolved itself into a committee of the whole, Mr. Nelson, of Va. in the chair, on the bill to authorise the loan of ..... dollars.

The bill having been read through—

Mr. Eppes rose to move to fill the blanks in the bill, and to state the reasons for its amount, and why the loan bill had been introduced at this stage of the session, before the appropriation bills were reported, and of course before it could be precisely ascertained what the amount of these appropriations would be. He then made the following statement of

*Estimated receipts and expenditures for the first quarter of the year* 1814.

| | | |
|---|---|---|
| Cash in the treasury, 1st January, 1814, including sums subject to previous appropriations, about | | 4,700,000 |
| From customs and public lands | 1,800,000 | |
| Internal revenue | 700,000 | |
| Direct tax, amount payable by the states which have assumed about | 1,159,000 | |
| Loan of seven and a half millions, | 3,650,000 | |
| Treasury notes | 1,970,000 | |
| | | 8,379,000 |
| | | $13,079,000 |

*Estimated Expenditures.*

| | | |
|---|---|---|
| Civil, Diplomatic, Miscellaneous | 450,000 | |
| Military expences | 6,000,000 | |
| Naval do. | 1,800,000 | |
| Public debt— | | |
| Treasury notes | 1,014,000 | |
| Dividend payable on the 1st of April, on the funded debt in addition to monies of sinking fund in hand, about | 1,000,000 | |
| | | 10,264,000 |
| Would leave on the 1st of April | | $2,815,000 |

From this statement of the receipts and expenditures of the first quarter of the year, it appears important that the loan should be put in operation, so as to insure from that source a sufficient sum in aid of the revenue, to meet the expences of the next quarter.

*The expenditures of the year* 1814 *are estimated as follows:*

| | |
|---|---|
| For the civil list including the principal and interest of the public debt | $13,900,000 |
| For the military establishment | 24,550,000 |
| For the naval establishment | 6,900,000 |
| Amounting altogether to | 45,350,000 |

*The funds to meet this expenditure are estimated as follows:*

| | |
|---|---|
| Revenue derived from customs and the sales of public lands | $6,600,000 |
| Internal revenue and direct taxes | 3,500,000 |
| Balance of the loan of 7,000,000 | 3,650,000 |
| Balance of treasury notes | 1,070,000 |
| Cash in the treasury on the 31st day of December, after deducting 3,500,000 dollars estimated as sufficient to satisfy appropriations made prior to that day, and leaving applicable to the service of the year 1814 | 1,180,000 |
| | 16,000,000 |
| So that there remains to be provided for by loans | 29,350,000 |
| To meet this deficiency it is proposed to authorise a loan for | 25,000,000 |
| Treasury notes for | 5,000,000 |
| Making altogether the sum of | $30,000,000 |

The estimate for the military department being made on the full complement of 63,422 officers and men for the year, and one month having already expired, it is presumed that a deduction from the expences of the military department, may be made, sufficient to cover the additional bounty recently authorised, and that 650,000 dollars will be sufficient to meet any other expence which may be authorised during the present session of congress. The sum to be borrowed is much larger than any loan heretofore authorised in this country—it is fully equal to two years revenue in the most flourishing period of our commerce. Our experience, however, has shewn that a faithful application of the funds of the nation in times of peace, will enable us to pay off, within a reasonable period, any debt which may be contracted during the war. In eleven years, during the present and former administrations, 46,000,000 dollars of the principal of the public debt were paid off. Without taking into view, therefore, the progress of population and wealth, we are authorised to say, that the resources of the nation, without any system of internal taxes, are sufficient in times of peace to discharge in twenty-two years a debt of 92,000,000 dollars principal. During the five years of the present administration, the preparations for war, and the war, have caused an immense increase of the debt—that increase, however, is greatly below what the enemies of the administration have endeavored to make it.

The increase of debt in every country, where the interest is regularly paid, (and in this it always has been) will be the difference between the principal borrowed and the principal paid. A statement, therefore, of the principal paid and of the principal borrowed during the five years of Mr. Madison's administration, will shew the actual increase of the debt.

| *Principal Paid.* | |
|---|---|
| 1809 | $3,586,479 26 |
| 1810 | 5,163,476 93 |
| 1811 | 5,543,470 89 |
| 1812 | 5,235,668 |
| 1813 | 4,022,700 |
| Principal paid | $23,551,795 08 |
| *Principal received from loans during the same period.* | |
| 1809 | 0,000,000 |
| 1810 | 2,750,000 |
| 1811 | 0,000,000 |
| 1812, 11 million loan | 10,184,700 |
| 1813, 16 million loan (annuities included) | 18,109,377 |
| 1813, 7½ 3,850,000 do. | 4,362,600 |
| Treasury note 1812 | 5,000,000 |
| Treasury note 1813 | 3,930,000 |
| The principal borrowed | 44,336,677 51 |
| The principal paid | 23,554,785 08 |
| Leaves | $20,781,881 43 |

For the actual increase of the debt from the commencement of Mr. Madison's administration to the end of the year 1813. This estimate includes the premium paid by way of annuity or discount, and the addition which has been stated is of a debt bearing six per cent interest.

It may perhaps on the present occasion be expected that something should be said as to the prospect of obtaining a loan. In proportion as you increase the sum to be borrowed, you will always increase the difficulty of obtaining money. The quantum in market whether specie or stock, will always have an important bearing on the value of the article. The ability of a community to lend must depend on its income or on the value of its productive industry and its circulating medium. What is that amount in the United States? It is with some degree of diffidence I attempt such an estimate If, however, in making this attempt I shall succeed in calling to this subject the attention of others better qualified to develope the resources of the nation, I shall rest satisfied.

The improved land on which the direct tax under the act of 1798 was collected, was 163,476,686 acres and valued at that time at $479,293,253, rather more than three dollars per acre. It is presumed the same land may now be averaged at six dollars per acre, which will give

| | |
|---|---|
| For the valuation of improved land | $982,480,000 |
| The dwelling houses under the same act were valued at 140,683,984 dollars. They may now with safety be estimated at double that sum | 280,000,000 |
| The unimproved lands after deducting all the claims on them amount to 400,000,000 acres, at two dollars | 800,000,000 |
| The other personal property including slaves is estimated at | 300,000,000 |
| The capital embarked in commerce, previous to the war, allowing for exports and imports | 100,000,000 |
| The bank capital at present amounts | 75,000,000 |
| Turnpike, canal, toll bridge and insurance stock, &c. | 30,000,000 |
| Total | $2,567,480,000 |

*The income arising on this capital may be estimated as follows:*

| | |
|---|---|
| Profit on improved land, two per cent. on 982,480,000 | $19,649,600 |
| On personal property including dwelling houses, 580,000,000 at 4 per cent. | 23,200,000 |
| 15 per cent. on the capital employed in commerce | 15,000,000 |
| 8 per cent. on 75,000,000—the amount of bank capital | 6,000,000 |
| Turnpike, canal, insurance and other stock, six per cent. on 30,000,000 | 1,800,000 |
| Product of all other occupations including manufactures as stated in the last census | 172,000,000 |
| Total | $235,849,600 |

In the year 1798, the whole value of the annual produce of the industry of the United States was estimated, by an able and intelligent writer, on a population of 4½ millions, at 37½ millions sterling, or 168,000,000 dollars—vide Cooper's Political Arithmetic, 47. According to the same estimate for our present population it would be 300 millions. This estimate would be 64,000,000 above what I have rated it at, and induces me to repose some confidence in the estimate I have made.

The writers on political economy differ as to the proportion between the amount of the circulating medium and the productive industry. Their calculations vary from one-fifth to one-thirtieth—one-thirtieth, minimum of Smith, on 237,845,600 would give something more than 7,000,000 of dollars for the necessary circulation of the United States—his maximum, one-fifth, would give something more than 47,000,000 dollars. If then 47,569,120 dollars is sufficient for the actual circulation, the whole of the circulating medium above that sum might be locked up or drawn from circulation without producing inconvenience or pressure. But money borrowed by the government is not drawn from circula-

tion, but is instantly thrown back on the community, and becomes a part of the general circulation!

The question then is, what is the amount of circulating medium? The bank capital has been stated at 75,000,000: on this capital we may calculate with safety on a circulation in notes and discount of 100,000,000. From this sum deduct 47,569,120 dollars, the maximum of what is deemed necessary for circulation, and the sum remaining, viz: 52,430,880, constitutes the ability of the monied capitalists to loan—of this sum we propose to borrow 30,000,000. Having shewn the ability to lend, the only question remaining is, will it be the interest of those who hold the monied capital to advance it to the government? A monied capitalist will always pursue his interest. In deciding this question, the calculation will be made on peace or war. No prudent man will loan his money without taking into view both these events. In the event of peace an immediate rise in the price of stock affords a certain prospect of profit. As an investure of money it is more safe than in banks, inasmuch as individuals may fail and the nation cannot. For a merchant whose capital in consequence of the present situation of the country, is withdrawn from commerce, it is a better investure than in manufactures.

The money invested in manufactures cannot be withdrawn without loss in the sale of the buildings and machinery necessary for carrying them on. The stock however of the United States could at once be converted into money at considerable profit, and his capital again restored to its former channel. If therefore peace shall take place, to which I confess I look forward with some degree of confidence, the present loan combines all the advantages of safety, profit, and a command at will of the capital invested. If on the contrary these expectations shall be disappointed and the war continue, our limited commerce must leave unimployed a large surplus capital. It is true that the increasing demand for our manufactures may afford employment for a part of this capital.—To those however who have formed commercial habits and look forward to resuming their accustomed occupations, such an employment of capital cannot be desirable. The stability of our credit founded on a punctual compliance with our engagements, must be gratifying to every American. During 27 years the faith of the nation has never been questioned—our credit has grown with our strength—our resources are ample—to bring them into action requires nothing but union and energy.

Mr. *Bigelow* of Mass. followed Mr. Eppes in debate, but not in the course of his remarks, or on the merits of the bill. He should not vote for the loan, he announced because it was for the support of war unprovidentially declared and erroneously conducted.

To shew the inexpediency of the declaration of war he entered into a particular historical review of our measures affecting foreign relations for several years past, commencing with Mr. Jefferson's refusal to lay the treaty with Britain negociated by Monroe and Pinkney, before the senate. Mr. B. spoke an hour.

Mr. *M'Kim* of Md. in a pithy speech recalled the attention of the house from the excursive range taking by Mr. *Bigelow*, to the present state of the nation—to things as they actually exist; on a full consideration of which he declared he must vote for the bill, &c.

The committee then rose and reported progress, and asked leave to sit again.

*Thursday, February* 10.—The house resumed, in committee of the whole, the consideration of the bill to authorise a loan for the service of the present year—Mr. *Pitkin* and Mr. *Sheffey* spoke against the bill; but while the latter was speaking a message was received from the president—after which the committee rose reported progress and the house adjourned.

The message from the president contained the following report:

Sir—In conformity with a resolution of the house of representatives of the 30th July, 1813, copies have been prepared at the treasury, of the accounts in detail of the different ministers plenipotentiary, envoys extraordinary and secretaries of legation, and consuls appointed under the authority of the United States, from the commencement of the present government; also accounts of the expenses incurred in the treaty with Algiers and the payments which have been made under that treaty; and accounts of all other expenditures in relation to the Barbary Powers, including those occasioned by the war with Tripoli, and the making of peace with that regency.

Which several accounts I have the honor to transmit herewith, for the information of the house of representatives.

I have the honor, &c.

W. JONES,
Acting secretary of the treasury.

*The president of the U. States.*

The report and voluminous documents, comprising several large *volumes*, were ordered to lie on the table.

*Friday, February* 11.—After hearing many private petitions, and transacting some minor business, the house resolved itself into a committee of the whole on the loan bill; when Mr. *Sheffey* resumed his discourse and spoke upwards of *three* hours. Mr. Rhea, of Ten. followed in a short speech, the committee rose, reported progress and had leave, &c.

*Saturday, Feb.* 12. Many petitions were presented and referred.

The house in committee of the whole resumed the consideration of the loan bill—Messrs. Rhea, Humphreys and Finley spoke in favor of the bill; and Mr. Culpepper against it. The committee rose for want of a quorum, and the house adjourned before the last had finished his speech.

*Monday, Feb.* 14. The house resolved itself into a committee of the whole, Mr. *Kennedy of N. C.* in the chair, on the report of the committee of pensions and revolutionary claims, unfavorable to the petition of Mary Cheevers.

[The memorable circumstance of this case need scarcely be repeated. For the information of those, however, to whom the case may not be familiar, it may be well to state them. The petitioner was the mother of two noble fellows, of her own name, seamen on board the frigate Constitution, both of whom were killed in the memorable engagement between that vessel and the British frigate Java, on whom she as well as her daughter, was entirely dependent for support. By their death she is left destitute of the means of subsistence, and petitions congress for relief. The committee reported against it on the ground of the inexpediency of making particular provisions for such a case, as not being more entitled to relief that many others which might occur.]

A resolution was agreed to, that the committee of pensions &c. should be instructed to report a bill granting a pension or *gratuity* to the petitioner.

The loan bill was then taken up. Mr. *Culpepper* finished his speech. Mr. *Hanson* then spoke, and Mr. *Ingersoll* got possession of the floor and said a few words, when the committee rose and the house adjourned.

*Tuesday, Feb.* 15. The president by a message communicated the resolutions of the legislature of

Pennsylvania, respecting retaliation, &c. heretofore inserted in the REGISTER.

Mr. *Taylor of N. Y.* reported a bill in addition to the act "to provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions, and to repeal the act now in force for those purposes," which was twice read and committed.

Mr. *M'Kim of Md.* rose to offer a resolution, the object of which was to ascertain the actual resources of the nation. He said he had long regretted the want of it, because he conceived it a species of information very essential to those who conduct the concerns of the nation. Any one who had attended to the course of the recent debate on the loan bill, would perceive the difficulty which had arisen from want of it. Assumed ground had been resorted to as to the basis of arguments, for the want of facts. It is impossible for an individual to manage well his private concerns, when he has not a correct knowledge of their situation; and would be equally impossible for congress duly to manage the fiscal concerns of the nation, without an adequate knowledge of its resources. Under a conviction of the correctness of this view, he submitted the following resolution:

*Resolved*, That the committee of ways and means be directed to report to this house some practical mode of producing, *at stated periods*, an account of the internal resources of the country, in natural products, agriculture and manufactures, together with such means of improving these resources, and promoting trade and intercourse between the different sections of the country, as in their opinion the public good may require; and that they have leave to report by bill or otherwise.

The resolution was ordered to lie on the table.

The house in committee of the whole, resumed the consideration of the loan bill. Mr. *Ingersoll* finished his argument, and was followed in debate by Mr. *Montgomery*, of Ky. Adj.

*Wednesday, Feb* 16.—After the usual course of business, the house resumed the consideration of the loan, in committee of the whole. Mr. *Montgomery* finished his speech in favor of the bill, and Mr. *Pearson* spoke against it, &c. Adjourned.

# Events of the War.

## MISCELLANEOUS.

PEACE PROSPECTS.—An opinion generally prevails that a peace will be speedily made between the *U. States* and *Great Britain*. It is, however, very difficult to say on what that opinion is founded.

We have a mighty mass of matter by a late arrival at *Boston* from *England*. It appears, that the emperor of *Russia* had a *second* time offered his mediation to *England*, which was a second time refused. It is stated, that on the 23d of Nov. our ministers were preparing to leave *St. Petersburg*, by the way of *Berlin* and *Copenhagen* for *Gottenburg*, where a ship was getting ready to bring them home. The following articles are satisfactory—

"ST. PETERSBURG, Oct. 19.—Her majesty the empress, on Sunday last, granted audiences to Messrs. *Adams*, *Gallatin* and *Bayard*, in the quality of envoys extraordinary and ministers plenipotentiaries from the United States of America. This mission extraordinary has caused universal satisfaction here. It is wished, that it be completely successful, and that the re-establishment of peace between his Britannic majesty and the republic of the United States, may free the navigation and commerce of our empire, from the only restraint which it can experience since the renewal of the ties of the strictest friendship with England. This striking proof of friendship and confidence, which the republic of the United States has given to the emperor, and the distinguished choice which it has made of its plenipotentiaries, are much applauded."

"LONDON, Dec. 27.—Mr. *Dallas*, secretary to the legation of Messrs. *Gallatin* and *Bayard* to the court of Russia, is arrived. It is supposed that the object of his mission is to obtain from this government a distinct exposition of the terms on which the court of London will accede to a peace with the U. States."

Perhaps, the idea of a speedy peace between us and our enemy, may be founded on some of the following facts and circumstances:

The emperor of *Russia*, "ALEXANDER THE DELIVERER," on many recent occasions, has distinctly avowed a determination to contend for and preserve the *freedom of the seas*, on the principles laid down by the parties to the famous "armed neutrality" in 1780, the ground work of which was, that *"free ships made free goods,"* and that no port could be considered blockaded that was not *actually invested* by a competent force, so that no vessel could enter without "evident danger," &c. (see page 401.) It also appears, that the allied princes, *viz.* the emperors of *Russia* and *Austria*, with the king of *Prussia*, and, perhaps, some of the minor powers who had joined the league, have tendered a liberal peace to the *"emperor of the French,"* [see the *"Chronicle"*] without the concert of *Great Britain*; and that, instead of suffering her dictation, they have acted for themselves, to curtail, but not to destroy, the power of *Napoleon* that having prescribed bounds to the domination of France, *on the land*, their next great business may be to give *freedom to the seas*, the favorite object of the chief of the confederacy. It is true, lord *Castlereagh* said, in parliament, that the allied princes had acted in concert with the *British* government; but we are not bound to believe every thing his lordship says, being satisfied that the British agents were not parties to the declaration published at *Frankfort*, Dec. 1. The first intimation they received that a peace was contemplated, was by *Bonaparte's* speech, in which he said *"he had agreed to the preliminaries."* What!—has lord *Castlereagh* acknowledged *Napoleon Bonaparte* as *emperor of the French*?—has *he* raised *"the usurper"* to the *imperial dignity*? has *he* made a *"legitimate prince"* and one of the *"Lord's anointed"* out of *"a revolutionary cut-throat?"* The story does not tell well; and we cannot give credit to it. The *British* cabinet had never more serious cause for alarm than when the news reached them. If they refused to accede to the propositions of the allies (accepted by *France*) their late friends might become enemies; if they acceded, many valuable colonies, with a rich commerce, must be given up to *France*, *Holland* and *Spain*. If *Bonaparte* be compelled to relinquish his conquests a like requisition will be made of *Great Britain*. An honest principle applies equally to all parties. It was this that hurried lord *Castlereagh* to the continent; and he will resort to every species of intrigue and corruption to divert the allies from their peaceful purpose. We think he will fail. For if the "magnanimous Alexander" did not consult him, before he pledged himself to the world, as to the course he would pursue; it is hardly to be expected he will retract what he has done, at the suggestion of the underling. And, as to *Austria*, though she may have wished the power of *Napoleon* lessened, it is impossible to believe she would have it destroyed, as is *Great Britain's* darling design, that she may hold the colonies, and monopolize their trade.

The great probability is there will be peace on the continent, the "French empire" being left, perhaps, the most powerful in *Europe*—*England* will not come into the measure—the commerce of the allies will revive—questions of "neutral right" will be excited, and possibly the whole may unite in adopting measures to regain the *freedom of the seas* from those who have usurped it. Something like this appears to be the prospect in *England*, if we may form an opinion by what we see in the ministerial papers. For ourselves, judging of things as presented, we heartily rejoice at the defeats of *Napoleon*; for it does not appear that the allies will become the tools of *British* domination at sea, more than the supporters of *Bonaparte's* power on the land.

If the emperor of *Russia* is, indeed, that great and good man that *all the English* told us he was—(and as I myself have believed; for he is the *only* sovereign prince that I ever spoke of with respect)—how much is it to the credit of the government of the United States that he has so decidedly approved all our proceedings?—that he has *twice* interfered to reduce our enemy to a sense of justice, or at least to a candid discussion of existing differences?—There is nothing, perhaps, that is calculated to place the conduct of our government on higher ground in the estimation of Europe, than the facts connected with the business of the Russian mediation.

In the multitude of difficulties that present themselves to the British cabinet, pressing upon it from all sides, it is believed the very liberal terms on which we are willing to make peace may be accepted, as a kind of protection from the higher demands that the powers of the continent seem about to make upon them. But, however our own affairs may terminate for the present, we take it for granted, that the repose of the world will never be secured until the maritime power of our enemy is greatly reduced. In the apprehension that this may be attempted, the *British* printers have already began to abuse "*Alexander the deliverer*," and the *Russian* consul at *Boston* has rebuked them for it.

It is thought that some important intelligence has not yet been divulged. The Boston Daily Advertiser of the 10th instant says—"We continue to-day the details of foreign news contained in English papers received by the Ann Alexander as late as the 25th and 27th of December. That there is something yet in reserve we have every reason to believe, and what is worse, we have the mortification to know that it will not be divulged so long as it is possible to keep it a secret. It is obvious that no commercial speculations could be founded on any thing that has hitherto been suffered to transpire—it is not less certain that certain houses in this town have ordered large purchases of certain articles of southern produce. We leave it to others to surmise the probable nature of the information of which they are exclusively possessed—it is enough for us to repeat the assurance that there is still something behind the curtain."

☞ Since the preceding was in type the following articles were received—we publish them, though we give little faith to them.

*Extracts of a letter from Boston, dated Feb.* 12.—"It has been the opinion among the mercantile part of our citizens that the ship Ann Alexander (arrived below this port on Sunday evening last from Liverpool) brought something of importance not yet disclosed to the public, which opinion has been prevalent ever since her arrival.

"The owner of that ship has arrived in town—he states that Mr. Adams wrote to Mr. B. G. Beasley, U. S. agent for prisoners of war at London, and to Samuel Williams, esq. that peace would speedily take place between this country and Great Britain as the negociations were in train; that Messrs. Beasley and Williams, on the receipt of this information, despatched a messenger express to Liverpool with the same, and directed the Ann Alexander to proceed to the United States forthwith.

"It is evident something of a favorable nature had transpired previous to the sailing of the Ann Alexander. Such seems now to be the general opinion here; and that it is suppressed from the public, for speculative purposes.

"It is well ascertained that an express was sent to the southward on Sunday night last, before it was generally known that a ship had arrived below—in fact it was not generally known till nine o'clock on Monday morning.

"Despatches for government per the Ann Alexander went on in the mail of Wednesday morning last; they may give us the information, now a secret to the public.

"It has been very recently reported here this day, that an armistice had been concluded between the two countries; but I have not been able to trace it to any source."

The *New-York Gazette* says—"It was reported in this city, this morning, that our commissioners had agreed on the outlines of a treaty with lord Walpole, wherein it is stipulated, that seven years be allowed to settle the question of impressment and citizenship."

But, the *National Intelligencer* of Thursday last, observes—"It has been said despatches were received by our government by the late arrival from Britain, and that some news of interest has been received in Boston which is yet suppressed for the purposes of speculation.

"As to the former of these intimations, we have not heard, and therefore do not believe that any official letters or despatches have been received of more than ordinary moment; and, as to the latter, we conceive that even mercantile cupidity, powerful as is its influence, could not suppress any information of general interest to the community for so many days as have elapsed since the arrival of the Ann Alexander."

PEACE AND WAR. A London paper says, the American prizes brought into Plymouth only, during the present war, have been sold for half a million of pounds sterling.

Though we do not believe the *half* of this, we are anxious to know how great a proportion of these vessels would have been sent into the same port, if we had been at *peace?* Before the *war*, the *British* captured every vessel they could, bound to and from *France*, &c. and they have been even less successful in making prizes since, in the *European* seas.

HOME INFLUENCE.—Bills were before the senate of *Massachusetts* to incorporate the Boston *Porcelain* and glass company; the Dedham manufacturing company; the Stoughton Gay cotton manufacturing company; a *file* company; and W. Boylston's manufacturing company.

"COMMERCE."—The ravings of smugglers at the embargo has brought to the recollection of the editor of the "*Columbian Patriot*," the following anecdote: "It is well known the Dutch merchants, during the most bloody struggles between their nation and Louis 14th, were in the daily habit of selling ammunition to the enemy. Prince Maurice took the liberty one day to reprimand one of these merchants for the practice, who replied—*My lord, if I could by sea, carry on an advantageous traffic with Hell, I would run the risk of* SCORCHING MY SAILS!"

THE DIFFERENCE.—Several French frigates are reported at sea, and some of them have committed

Great depredations on their enemies. But it seems they can hardly peep out of port without being taken; whereas the only complaint that some of *our* officers have is, that they cannot get out. It is glorious sport for an *English* frigate to come athwart a French frigate; but *that* is the word, when one of our's is to be looked for.

EMBARGOED CASTERS.—The great hardship of the embargo law in preventing the coasting vessels from returning to the places to which they belonged, has been loudly *talked* of. It is curious to refer to the yeas and nays in congress (see page 404) on a bill for the relief of the owners of the vessels so detained.

TRADE.—The following facts are stated in a way that commands our entire belief——

"December 25, (while the Albion of 74 guns, lay in Tarpaulin cove,) the prisoners were given to understand that they should all be landed that day, and their paroles were actually making out, when two persons came off, with a load of fresh beef—the man who came on board was habited as a Quaker, and being known to several of the prisoners, was openly accused of being a traitor, and, given to understand that as soon as they were released they would cause him to be apprehended—the man, in consequence of these threats and fearful, if the prisoners were permitted to land immediately, he should be apprehended, applied to captain Devonshire, for his assistance, who caused the prisoners to be detained, and those of them who had called the man a traitor, &c. to be put in irons—The man, after receiving his pay for his beef, staid on board the ship until the 27th, when he went on shore—the other man said he had nothing to do with the business, having merely come off to get a license for a vessel, which captain Devonshire refused to supply him with, referring him to commodore Hardy, as the proper person to give him one."

COMMODORE CHAUNCEY, returning to the lake through *New-York*, partook of a splendid entertainment prepared in honor of him, in Washington Hall. The company consisted of about 350 gentlemen.

SIR JAMES L. YEO.—This blustering bully who desired, when in the Southampton frigate to meet capt. *Porter* in the Essex, that he "might break his d——d sword over his head, and drive him forward among the men," &c.—who, on *Ontario*, always considered that "better part of valor was" to run away from *Chauncey*, and which, unfortunately, he was able to do by the superior sailing of his vessels in squadron, has done with his *pen* what his *heart* would never permit him to think of. It is, however, justice to the recreant to say, that his *discretion*, in not fighting, served his country more than his valor could have accomplished—and if the fellow had claimed the only merit that belongs to him, *of running away from an inferior force*, we should have commended him for his truth: but *that* is not expected in a "*British official.*"

The London Courier, of Nov. 22, contains com. Yeo's official account of the partial engagement between him and commodore Chauncey, on the 11th September, on lake Ontario. Yeo says—"Being becalmed off Genessee river, the enemy's fleet of 11 sail, having a partial wind, succeeded in getting within range of their long 24 and 32 pounders; and from their having the wind of us, and the dull sailing of some of our squadron, I found it impossible to bring them to close action. We remained in this mortifying situation 5 hours, having only 6 guns in all the squadron, that could reach the enemy, (not a carronade being fired;) at sun-set a breeze sprung up from the westward, when I steered for the False Duck Islands, under which the enemy could not keep the weather-gage, but he was obliged to meet us on equal terms; this, however, he carefully avoided. I cannot but conceive it fortunate that none of our squadron have received any material damage, which must have been considerable had the enemy acted with the least spirit, and taken advantage of the superiority of position they possessed. I have to regret the loss of Mr. Ellery, midshipman, and 3 seamen killed and 7 wounded."

LAKE ERIE was still open at our last accounts from that place. It will not, in all probability, be frozen this winter, and until it is, any attempt of the enemy to take the fleet would be preposterous. Three persons have been taken up at *Erie* as spies.

ERIE, Jan. 28. Letters have been recently received by major-general Meade, from general Hall, commanding on the New-York frontier, advising him that the enemy is concentrating a large force on the Niagara strait, and that he has received a reinforcement of 1500 regulars from Kingston. A short time will determine whether this force is to be sent against Malden or this post, or against both.

It is correctly ascertained, that the British are building vessels on lake Huron. In all probability their plan is to attempt the reduction of the squadron here; should they fail in this, to re-take Malden and erect batteries so as to prevent our vessels sailing until they have a fleet built large enough to cope with ours.—They will not surrender the supremacy upon an element they have vauntingly called their own without another struggle.

A considerable regular force we understand has been ordered on here by the general government.

CAPTAIN LEONARD who commanded at *Fort Niagara*, is represented to be "running at large" at *Montreal*, and to have sent for his family. Some of the militia and citizens who were taken at *Buffalo*, &c. have been permitted to return to *Plattsburg*, on parole. Colonel *Chapin* had been sent to *Quebec*.

NEW-LONDON. We have nothing new from this place where lies a very interesting portion of our little navy, blocked up by the *British*. We are pleased to learn, however, that great cordiality exists between the land and sea forces, contrary to what has been insinuated.

HEROISM.—The following extraordinary instance of heroism is noticed in a *Georgia* paper:—"The signal bravery displayed by the detachment of our army in the battle of Autossee, is the theme of general admiration. In this affair our troops acted more like veterans than militia, and the feats of many officers and privates would do honor to Spartan valor. We shall particularly notice the conduct of one man, whose sufferings have been equal to his intrepidity. Quarter-master William A. Tennille, the worthy son of an excellent revolutionary soldier, had his horse shot under him while charging the indians. The horse falling on him, Mr. Tennille with some difficulty extricated himself—he was alone surrounded by enemies, and had scarcely recovered his feet before his *right arm* was broken by a musket ball, and he received a wound in his thigh—the indians rushed forward to tomahawk him—but presenting his pistol, they recoiled until they discovered it had missed fire—the savages again advanced—by this time he had drawn his sword, and wielding it in the left hand, kept his assailants at bay until our troops made a second charge, cut the indians to pieces and rescued this admirable young soldier, who for extraordinary bravery and presence of mind deserves to be ranked with the best heroes of ancient Rome.

We are sorry to mention that Mr. Tennille's arm has been amputated near the shoulder. He is said to be on the recovery."

INSANITY.—A tool of the junto to the eastward that talks of dissolving the union to shew its regard for "federalism," and the precepts of *Washington*, has the following paragraph, on the late news from *Europe*—

"*Men of New England!* ARISE! Imitate the glorious example shewn you by the Hollanders—Shake off the French yoke—unshackle commerce—dissolve the continental system—raise the shout of "UP ORANGE, down BONAPARTE!" Expel his slaves, spies and agents, who are now draining you of your treasures, devouring your substance, and leaving nought but misery and despair! Let it not be said that the sluggish Dutch and heavy Germans possess a more ardent love of liberty, or more determined hostility to slavery."

THE NEGOCIATION.—*From the Boston Gazette.*—"Why did not Britain propose to treat *here* as well as in London? Because we were *aggressors* in fact, and her ministers have been so often duped by *our great men*, that she would not trust *any men* with her maritime rights at a *distance from home*."

THE NIAGARA SUFFERERS.—*Albany, Feb. 4.*—The committee in senate appointed on the resolution from the assembly, appropriating $50,000 to this object, considering that no monies can rightfully be drawn from the treasury unless authorised by a law of the legislature, recommended the appointment of a committee to bring in a bill for that purpose; which has been brought in and passed the senate. The bill appropriates $40,000 for the relief of the sufferers in the towns of Hartland, Porter, Cambria, Schlosser and Buffalo, to be applied by the supervisors of the respective towns, the amount to be apportioned by Joseph Ellicott of Batavia, William Wadsworth of Genesee, and Daniel Davis of Caledonia, commissioners named in the bill. It also appropriates $5,000 for the relief of the Tuscarora Indians and $5,000 for the Canadians who have taken refuge in this state, to be applied by the before named commissioners.

The committee in this city appointed to receive the donations for the relief of the sufferers on the western frontier, acknowledge with pleasure the receipt of the following sums:—$76 50, being a collection made in the Methodist church in this city; also, $320 collected in St. Peter's church; from Mr. Bernard, $460, the receipts of a benefit at the theatre given by him; $9 from the children at Mr. Upfold's school; $4 31 from the children at Mr. Young's school; and, in addition to the liberal subscriptions of the citizens, a bale of sundries, consisting of apparel, blankets, sheets, cloths, muslin, &c. estimated at $270, and $80 in cash, from the inhabitants of the town of Grenville, in the county of Greene.

By order,

JOHN COOK, Sec'ry.

MARSHAL'S OFFICE, NEW-YORK, Feb. 12.—"Persons who wish to forward letters by the corvette John Adams, either to the British dominions, by way of Gottenburg, or, to the continent of Europe, must leave them (open) at the marshal's office, to be examined. Such as are allowed will be put on board, under the care, and subject to the directions, of Mr. Clay and Mr. Russell. JOHN SMITH, Marshal."

*Salem, Feb.* 8.—Arrived cartel ship Bostwick, Brown, from Halifax, 4 days, with 305 prisoners, among which are about 200 soldiers, who have been conveyed in carriages to Charlestown. Many of them appeared to be in a sickly condition, and some almost destitute of clothes.

About 700 prisoners remained in Milville prison, and 300 were on board the Success prison-ship.

GENERAL HULL. The trial proceeds with great dignity and with all proper dispatch. It is stated that the evidence against the accused will probably be closed by the 1st of March.

☞ The very interesting series of documents laid before the house of representatives by the secretary of war, on the call for information as to the "failure of the campaign," shall be commenced in the REGISTER to be published this day fortnight, (which will be the first number of vol. VI.) and continued with as little intermission as possible, until completed.

MILITARY.

A *Plattsburg* paper of January 23, says—"Major-general Wilkinson arrived in town on Wednesday last. He has taken quarters in this village."

The governor of Pennsylvania has detached 1000 men for the protection of *Erie*.

The *Norfolk* papers abound with accounts of the marks of respect paid to brigadier-general *Taylor*, who since the declaration of war has chiefly had the command at that place. He retired at his own request, and was succeeded by brigadier-general *Parker*, of the United States army.

*Extract of a letter from general William Clark, governor of the Missouri territory, dated*

"*Saint Louis, Jan.* 15, 1814.

"I was visited about two weeks ago by a deputation of the Pottowatomies, on the subject of peace. I did not enter into any arrangements with them, but recommended them to leave hostages, and referred them to the commanding officer. They have left at Belle Fontaine seven hostages. Those Indians say, that the tribes near them are not friendly. The Kickapoos, Winebagoes and others, towards *Prairie des Chien*, have not come in for peace as was expected. There is but little doubt but that they will continue hostile as long as they can; or until the upper lakes and *Prairie des Chien* are in our possession and garrisoned by strong posts.

The sooner this object is effected the better, as an early possession of the Upper Mississippi is immensely important in securing the entire tranquility of our frontier. The Indians inform me that Dixon is with the Sioux's, keeping alive British influence."

*Head-Quarters, Cincinnati, January* 19.

GENERAL ORDERS.—Maj. gen. Harrison assumes the command of the eighth military district, as it is designated by the arrangement of the war department of the 1st of May last.

The officers commanding corps, posts and recruiting districts, will forward their returns as directed by the military regulations, to the assistant adjutant-general's office at this place. The utmost punctuality is expected.

Brigadier-general Howard is appointed to the brigade lately commanded by brigadier-general Cass. General Howard will proceed immediately to Detroit, and assume the command of that post and its dependencies. Colonel Russell, of the 7th regiment infantry, will command the troops within the Indiana, Illinois and Missouri territories, excepting the post of fort Wayne: the officer commanding the latter, will report immediately to head-quarters; and all the posts south of the Miami-of-the-Lake, that are garrisoned by the Ohio militia, including those stationed at Put-in-Bay, will be under the orders of general Gano.

Lieutenant-colonel Croghan is appointed to do the duties of assistant adjutant-general, until the arrival of major Butler, of that department.

By order of the general.

JOHN O'FALLON, Aid-de-Camp.

CHILICOTHE, Jan. 27.—His excellency the governor has politely furnished us with the following information:

About 1000 indians of the Miamis have arrived at

fort Wayne, one-third warriors, the residue women and children, all in an impoverished state—The warriors are furnished with small quantities of ammunition to hunt; and draw half rations of meat and flour—the women and children one quarter rations.

The Pottowatamies were a few days since coming on to fort Wayne with all their families, in a state of starvation—they have eaten most of their poor horses—every day they halt and bury some of their party—and the delays occasioned by their funeral ceremonies have retarded their arrival at the fort.

In consequence of instructions from the war department, the governor has issued orders for detailing, organizing and holding in readiness, to march at a moment's warning, 1400 of the Ohio militia, apportioned from each of the five divisions of the state.

*Chilicothe, Feb.* 3. Orders have been issued to convene all the new recruits within the state at the principal rendezvous in Chilicothe, preparatory to their taking up the line of march for the head quarters of the north western army.

General Harrison will hold a council with the chiefs of the north western Indians at Dayton, during this week, for the purpose of concluding peace.

*Adjutant and inspector general's office.*
Washington, 14th Feb. 1814.

GENERAL ORDERS.

The British commander in chief in Canada having in a proclamation dated at Kingston on the 4th day of September, 1813, declared, that a parole lawfully given does not forbid the exercise of any military functions other than that of "*bearing arms in the garrison or in the field*"—and there being no desire on the part of the United States to question the correctness of this declaration—It is therefore ordered, that all officers of the United States, prisoners of war on parole, are liable to be called to the discharge of the following duties—

1st, Recruiting.

2d, Drilling recruits.

3d, Guarding stores and prisoners of war in the interior, &c.

4th, Paying the troops and making purchases on account of the United States.

All prisoners of war on parole will accordingly report themselves for these duties to the officer commanding the district in which they may happen to reside: and, failing to do so, if non-commissioned officers or privates will be apprehended and confined, and if officers will be dropped from the rolls of the army. By the order of the secretary at war.

J. B. WALBACH, adj. gen.

MILLEDGEVILLE, Jan. 31.

An express from general Pinckney to the governor arrived here last night with the following important intelligence.

*Head-quarters, fort Hawkins, Jan.* 30, 1814.

SIR—I have the honor of enclosing for your information, copies of despatches received early this morning from general Floyd: This additional proof of the good conduct and gallantry of the troops of the state in which you preside must be highly gratifying to your excellency. Be pleased to accept my sincere congratulations thereon.

Col. Milton and a detachment of regulars, will speedily reinforce the army.

I have the honor to be very respectfully, your excellency's most obedient servant. TH: PINKNEY.

His excellency gov. Early.

*Camp Defiance, (48 miles west of Chattahoochie) January 27, 1814.*

Major gen. PINKNEY,

SIR—I have the honor to acquaint your excellency that this morning at 20 minutes past 8 o'clock, a very large body of hostile Indians made a desperate attack upon the army under my command. They stole upon the centinels, fired on them, and with great impetuosity rushed upon our line: In 20 minutes the action became general, and our front, right and left flanks were closely pressed, but the brave and gallant conduct of the field and line officers, and the firmness of the men, repelled them at every point.

The steady firmness, and incessant fire of captain Thomas's artillery, and capt. Adams' riflemen, preserved our front lines; both of these companies suffered greatly. The enemy rushed within thirty yards of the artillery, and captain Broadnax, who commanded one of the picquet guards, maintained his post with great bravery, until the enemy gained his rear, and then cut his way through them to the army—on this occasion, Timpooche Barnard, a half breed, at the head of the Uchies, distinguished himself, and contributed to the retreat of the picquet guard; the other friendly Indians took refuge within our lines, and remained inactive with the exception of a few who joined our ranks—as soon as it became light enough to distinguish objects, I ordered majors Watson's and Freeman's battalions to wheel up at right angles with major Booth's and Cleveland's battalions [who formed the right wing] to prepare for the charge. Captain Duke Hamilton's cavalry [who had reached me but the day before] was ordered to form in the rear of the right wing, to act as circumstances should dictate. The order for the charge was promptly obeyed, and the enemy fled in every direction before the bayonet. The signal was given for the charge of the cavalry, who pursued and sabred fifteen of the enemy, who left thirty seven dead on the field—from the effusion of blood, and the number of head-dresses and war-clubs found in various directions, their loss must have been considerable, independent of their wounded.

I directed the friendly Indians, with Merriwether's and Ford's rifle companies, accompanied by captain Hamilton's troop, to pursue them through Caulebee swamp, where they were trailed by their blood, but they succeeded in overtaking but one of the wounded.

Colonel Newman received three balls in the commencement of the action, which deprived me of the services of that gallant and useful officer. The assistant adjt. gen. Hardin was indefatigable in the discharge of his duty, and rendered important services; his horse was wounded under him. The whole of the staff were prompt, and discharged their duty with courage and fidelity. Their vigilance, the intrepidity of the officers, and the firmness of the men, meet my approbation, and deserve the praise of their country.

I have to regret the death of many of my brave fellows, who have found honorable graves, in the voluntary support of their country.

My aid-de-camp, in executing my orders, had his horse killed under him; general Lee and major Pace, who acted as additional aids, rendered me essential services, with honor to themselves, and usefulness to the cause in which they have embarked. Four waggon and several other horses were killed, and two of the artillery horses wounded. While I deplore the loss sustained on this occasion, I have the consolation to know, that the men whom I have the honor to command have done their duty. I herewith transmit you a list of the killed and wounded, and have the honor to be most respectfully your obedient servant. JOHN FLOYD, B. G.

*Total killed,* 17; *total wounded* 132.

(Signed,) CHARLES WILLIAMSON, R. S.

N. B. One of the wounded since dead—5 of the friendly Indians killed, 15 wounded.

*Copy of a letter from brig. gen. Claiborne, of volunteers, to the secretary of war, dated*

Fort Claiborne, east bank of Alabama, 85 miles above Fort Stoddart, January 1st, 1814.

SIR—On the 13th ult, I marched a detachment from this post with a view of destroying the towns of the inimical Creek Indians, on the Alabama, above the mouth of the Cahaba. After having marched about eighty miles, from the best information I could obtain, I was within thirty miles of a town newly erected on a ground called Holy, occupied by a large body of the enemy, under the command of Witherford, the half breed chief, who was one of those who commanded the Indians that destroyed the garrison at Mims in August last, and who has committed many depredations on the frontier inhabitants. I immediately caused a stockade to be erected for the security of the heavy baggage and sick. On the morning of the 22d the troops resumed their line of march, chiefly through woods without a track to guide them. When near the town on the morning of the 23d, my disposition for attack was made.—The troops advanced in three columns. With the centre column I advanced myself, ordering Lester's guards and Wells' troop of dragoons to act as a corps of reserve. About noon the right column, composed of twelve months' volunteers, commanded by colonel Joseph Carson, came in view of the town called Eccanachaca (or Holy Ground) and was immediately vigorously attacked by the enemy, who were apprized of our approach, and had chosen their field of action.

Before the centre, commanded by lieut. col. Russell, with a part of the 3d regiment of United States' infantry and mounted militia riflemen, or the left column, which was composed of militia and a party of Choctaws under Pushamuttaha, commanded by major Smoot of militia, who were ordered to charge, could come generally into action, the enemy were repulsed and were flying in all directions, many of them were casting away their arms.

Thirty of the enemy were killed, and judging from every appearance many were wounded. The loss on our part was one corporal killed, and one ensign, two sergeants, one corporal and two privates wounded.

A pursuit was immediately ordered; but from the nature of the country, nothing was effected. The town was nearly surrounded by swamps and deep ravines, which rendered our approach difficult, and facilitated the escape of the enemy. In the town we found a large quantity of provisions and immense property of various kinds, which the enemy, flying precipitately, were obliged to leave behind, and which, together with two hundred houses were destroyed. They had barely time to remove their women and children across the Alabama, which runs near where the town stood. The next day was occupied in destroying a town consisting of sixty houses, eight miles higher up the river, and in taking and destroying the enemy's boats. At the town last destroyed was killed three Indians of some distinction. The town first destroyed was built since the commencement of hostilities, and was established as a place of security for the inhabitants of several villages. The leader Witherford, Francis, and the Choctaw Sinquistur's son, who were principal prophets, resided here. Three Shawnese were among the slain.

Colonel Carson of the volunteers, lieut. col. Russell of the 3d regiment United States infantry, and major Smoot of the militia, greatly distinguished themselves. The activity and zeal of the assistant deputy quarter master general, captain Wert, and of my brigade major, Kennedy, merit the approbation of government. I was much indebted to my aid de camp lieut. Calvit of volunteers, to lieut. Robeson of the 3d regiment, and major Caller of militia, who acted as my aids on that day, for the promptness and ability with which they performed their several duties. The officers of the different corps behaved handsomely, and are entitled to distinction.—Courage animated every countenance, and each vied with the other in rendering service. I have taken the liberty of communicating to you directly, in consequence of the distant station of the general commanding the district, and also for the purpose of forwarding to you the enclosed original document which was found in the house of Wetherford. It shews partially the conduct of the Spaniards towards the American government.

The third regiment has returned to this place, and volunteers are on their march to Mount Vernon near fort Stoddart for the purpose of being paid off and discharged, their terms of service having generally expired.

I have the honor to be, with great respect, your excellency's most obedient servant,

FERD. L. CLAIBORNE,
Brig. gen. of vols.

*His excellency John Armstrong.*

THE SPANIARDS.—The following letter from the governor of *Pensacola* to the Creek indians, was found by general *Claiborne*, of the volunteers, and forwarded to governor *Blount*:

PENSACOLA, 29th Sept. 1814.—*Gentlemen*, I received the letter that you wrote me in the month of August, by which, and with great satisfaction, I was informed of the advantages which your brave warriors obtained over your enemies.

I represented, as I promised you, to the captain general in Havanna, the request (which the last time I took you by the hand) ye made me, of arms and munitions—but until now I cannot yet have an answer. But I am in hopes, that he will send me the effects which I requested; and as soon as I receive them, I shall inform you.

I am very thankful for your generous offers to procure me the provisions and warriors necessary, in order to re-take the post of Mobile;—and you ask me at the same time, if we have given up the post of Mobile to the Americans? To which I answer, for the present, I cannot profit of your generous offer—not being at war with the Americans; who did not take Mobile by force—since they purchased it from the miserable officer, destitute of honor, who commanded there, and delivered it without authority:—by which reason, the sale and delivery of that place is totally void and null—and I hope that the Americans will restore it again to us, because nobody can dispose of a thing that is not his own property:—in consequence of which, the Spaniards have not lost their right to it; and I hope that you will not put in execution the project which you tell me of, *to burn the town*; since those houses and properties do not belong to Americans, but to true Spaniards.

To the bearers of your letter, I have ordered some small presents to be given. And I remain, forever, your good father and friend.

(Signed) MANXIQUE.

*Cambridge, S. C. Jan. 27.*

The detachment of United States volunteers, which we mentioned in our last, consists of 900 infantry, 100 artillery, and 85 cavalry. They assembled agreeably to orders on Tuesday last, at Abbeville court house, under the command of colonel Nash, with the exception of about 150 infantry. To supply this deficiency we learn that an express was

sent yesterday to gen. Elmore, to forward the number with all possible dispatch, from his brigade—the other brigades have furnished their quotas. The men are in high spirits, and the promptitude and alacrity with which they have obeyed the call of their country, is a strong pledge that they will not suffer the laurels gained by the sons of the west to wither in their hands.

NAVAL.

Falmouth, Cape Cod, (Ms.) was cannonaded by the British brig Nimrod, of 18 guns, on the 4th inst. nearly the whole day. She lay in close with the place and fired about 300 shot, but killed or wounded no person. Several houses were injured. The captain of the Nimrod had demanded the delivery of two field pieces at that place, which being refused, he gave two hours notice that he would bombard the town The inhabitants were secured by an entrenchment they had prepared; and have requested some heavy guns of the governor that they may *resent* such proceedings in future.

The 74, that was aground on Fisher's island, has unfortunately got off, supposed to be much injured.

Several valuable vessels have lately got into the *Chesapeake* and *Delaware*, the blockades to the contrary notwithstanding.

It is stated that about the 20th of Dec. there were no less than thirty-five English vessels, prizes, lying in *St. Malos*, sent there by the American and French privaters.

There is reason to believe that ruffian *Cockburn* has again arrived in the *Chesapeake*, with some additional vessels.

The United States' frigate *Constellation*, captain *Gordon*, (says a *Norfolk* paper of the 12th) went down on Thursday last to Hampton Roads, with an intention to proceed to sea, but the wind falling very light, she returned on yesterday to Crany-Island, where she is now anchored.

*The Essex frigate.*—From a *London* paper of Dec. 24.—By letters from St. Helena of the 15th Oct. accounts are received that the Georgiana and Atlantic, which had been captured by the Essex American frigate, were fitted out as cruizers, and sent to the Gallipagos in search of the Charlton and New-Zealand whalers, which it was feared they would capture. They were then to go to New Holland in search of more South-sea men. The Indispensible was at Tombay.

Commodore Rodgers.—The story of his having had a brush with the Orpheus, originated from this circumstance:—The Orpheus in company with the Albion 74, on their passage from the coast for Bermuda, fell in with the President frigate; and commodore Rodgers, under his topsails only manœuvred in hopes to lead the Orpheus out of the reach of the 74, but the Albion, while the Orpheus was chasing the President, kept so close as to prevent the commodore's wished for single combat. The President ultimately filled away, and soon ran the Albion and Orpheus out of sight.—*N. Y. Gaz.*

The President.—On Tuesday evening, (says the Newport paper of the 10th inst.) passed this harbor for Bristol, Swedish brig Felec, 19 days from St. Barts. Capt. Rathbone, of this town, passenger, informs us that he saw a Barbadoes paper, which stated that com. Rodgers had captured, 60 miles to windward of that island, TEN SAIL *of the London fleet*, all of which he burnt, except one, given up to the prisoners, after taking out the most valuable parts of their cargoes. The Barbadoes paper contained the names of the vessels captured—and further states, that previous to com. Rodgers' capturing those vessels, he fell in with a ship which had been captured, with a number of others, by a French frigate. Com. Rodgers threatened to send them to the United States, to retaliate for the conduct of the British government relative to the cartel which he sent into England on his former cruise; they were, however, permitted to proceed. Only about eighty sail out of nearly two hundred, which sailed under convoy from London, had arrived at Barbadoes; and it was apprehended fifty or sixty had been captured or lost in the gale which dispersed the fleet. It was conjectured at Barbadoes, that com. Rodgers had gone in pursuit of the Cork fleet, of sixty sail, under convoy of two sloops of war; accordingly *three* frigates had been despatched in pursuit of him.

Desperate action.—*Wilmington, (N. C.) Feb. 6.* Arrived on the 27th ult. the privateer schooner Globe, Richard Moon, commander, of Baltimore. On the 1st of November last, off Madeira, saw a sail, bore down on her and exchanged broadsides—supposing her a man of war brig, hauled off; the Globe received one nine pound shot under her larboard quarter between wind and water—watched the backing and filling of two brigs in Funchall Roads. Nov. 2d, the two brigs still manœuvring in the Roads—at 9 A. M. saw them under way and gave them chace—at 10 being squally lost sight of them—at 6 A. M. saw them at the S. W. and gave chace. Nov. 3, at fifteen minutes past two, the heaviest brig commenced firing her stern guns which was instantly returned—at half past twelve sheered up alongside and boarded, the schooner sheering off, the first and second-lieutenants and three seamen were left on the enemy's deck and it is supposed were killed. By this time the other brig had bore up and passed across our bows and gave us a raking broadside, which dealt destruction to our sails and rigging, rendering the schooner quite unmanageable. In this situation we lay alongside the heaviest brig until we completely silenced her, and compelled her to strike at half past three. All this time the other brig lay on our quarter pouring broadside after broadside within half pistol shot. Finding the heavy brig had struck, we with much difficulty got the Globe before the wind and commenced close action with the other brig 'till half past four, when discovering our vessel in a sinking condition, having seven shot between wind and water, we hauled to windward to take possession of the brig which had struck, when she again hoisted her colors and gave us a broadside and was seconded by her consort, which compelled us to haul off, but with reluctance, to repair damages, having the greater part of our standing and running rigging shot away and not a sail but was perfectly riddled and almost useless. The above two brigs were packets, as we saw the one that struck throw the mail overboard—one of 18 and the other of 16 guns, all brass 12 pounders, as we found two 12 pound double-headed shot in our hull. We have every reason to believe we killed a great number of men on board both vessels, numbers being shot down by the musquetry, and among the rest the captain and first officer of the brig that had at one time struck.

*Killed*—John Harrison, 1st lieutenant, John Smith, 2d do. Joshua Brown, Richard Blair, James Thelis, Samuel D. Smith and Sandy Forbes, seamen.

*Wounded*—Richard Moon, commander, severely, Noah Allen, prize-master, do. John Frinks, do. slightly, seamen, —— Oliver, since dead, Asa Hart, do. do. Ab. Hinhart, do. do. —— Fortune, Job E. Wheeler, P. Short, F. Statt, T. Jifford, J. Arnold, J. Beatty, John Wilson, John Mitchell and Daniel Milton, slightly.

While refitting at the Grand Canary on the 13th November a Spanish brig arrived from St. Croix, Teneriffe, and informed us of the arrival of a British

brig, a packet of 18 guns and another of 14, much cut up in her hull and having 27 men killed in an engagement as they said with an American privateer on the 2d November. The Globe mounts nine 9-pound carronades.

*Official account of the loss of the U. S. schr. Ferret.*

Fort Island, February, 1814.

SIR—I am sorry to acquaint you of the entire loss of the United States' schooner Ferret. This unfortunate circumstance occurred last evening, on the North breakers of Stony Inlet.

I am happy to say none of her officers or men were lost or injured. They have lost every thing belonging to them, and would suffer much, was it not for the kindness of Mr. Darley and Mr. Henland, who have rendered them services.

I am making preparations to proceed to the wreck with a vessel, to save what articles of rigging and sails I can get at. I am in hopes to get some of her guns, which I threw into the hold. Finding the vessel half full of water, I apprehended her drifting out in deep water, should she be lightened, would render our situation more hazardous.

Mr. Brailsford, whom I have sent on with a proportion of my crew, will inform you more particularly of the circumstances which the present haste I am in will not allow me to do, as fully as I could wish.

I have the honor to be, most respectfully, your obedient servant,

LAWRENCE KEARNEY,
*Lieutenant com. the U. S. schooner Ferret.*

Commodore J. H. Dent, commanding
naval officer, Charleston.

## American Prizes.

LIST—CONTINUED FROM PAGE 368.

"The winds and seas are Britain's wide domain,
And not a sail, but by *permission* spreads!"
*British Naval Register.*

764. Hermaprodite brig Cossack, from Martinico for Bermuda, laden with 133hhds, 2 tierces, and 68 bbls sugar, sent into Georgetown, S. C. by the letter of marque schooner General Stark, of 2 guns and 12 men, on her passage to St. Domingo. The General Stark had previously re-captured an American vessel and manned and ordered her into port, and at the time of capturing the Cossack had only eight men on board, three of which with a boy brought in the prize and her crew [12 in number] all safe. This is truly "yankee *enterprize*"—the General Stark belongs to Salem. ☞ The *bounty* allowed to our letters of marque and privateers (in the reduction of duties) on the cargo of this vessel, is equal to nearly $4000.

765. Schooner Jasper, from Surrinam, laden with coffee, sugar and rum, a prize to the Caroline of Baltimore, sent into Georgetown, S. C. It is stated this vessel would have been wrecked and lost on the bar, but for the meritorious exertions of lieut Mork, of the U. S. navy.

766. Schooner Rebecca, from Halifax for Bermuda, cargo live stock and provisions, sent into Portsmouth, by the Grand Turk.

767. Schooner Agnes, from St. Johns N. F. for Bermuda, laden with fish, sent into France.

768. Brig Criterion, *a traitor vessel*, laden with 80 hhds rum, captured by the Caroline of Baltimore, and sent into Stonnington, Con. This vessel has been tried and condemned for the use of the captors,

769. Schooner Fanny, laden with sugar, carried into Charleston, by the Revenge of Baltimore.

770. Schooner Henry, laden with fish, sent into Charleston, by the Roger of Norfolk.

771. Schooner Maria, captured by ditto, and burnt.

772. Ship Nereid, 280 tons, 10 guns, from London for Buenos Ayres, laden with 250 bales dry goods, 263 packages and trunks of do. 150 casks (hhds and tierces) of hardware and jewelry, 869 bundles iron hoops, 80 bars of iron and a quantity of coal, &c.—the whole valued at £75,000 sterling, captured off Madeira, by the Governor Tompkins of New-York, and sent into that port. ☞ The G. T. had also captured two other very valuable vessels and manned them for the United States—and was left in chase of a ship, all which had belonged to a fleet that had sailed under convoy, but separated in a gale. Allowing this vessel's cargo to be worth £75,000, the *bounty, in the reduction of duties*, of itself, is equal to *sixty or seventy thousand dollars!!!*

773, 774, 775, 776, 777, 778, 779, 780, eight vessels captured by the True Blooded Yankee, and burnt off the coast of Ireland.

781. The Castor, captured by ditto, divested of her valuable articles and given up.

782, 783, 784, 785. The Active, Watson, Cora and Eliza, captured by ditto and sent to France.

786. Schooner Traveller, laden with 119 hhds and 60 bbls. sugar, besides coffee, sent into Squam, by the Frolic, of Salem.

787. Schooner George, laden with dry goods and sundries, sent into Ellsworth, by the Fly.

788. Sloop Experiment, with dry goods, hardware and lumber, sent in Machias by ditto.

☞ The Fox privateer has arrived at Salem, having made several valuable captures, but none of them have arrived. The Fox is full of dry goods and hardware; and has also 21 prisoners.

789. The Vigilant, a tender to the admiral of the windward island station, captured by the Comet of Baltimore, and sent into Wilmington, N. C.

790. Schooner ——, laden with sugar and coffee, sent into Savannah, by the Patapsco of Baltimore.

791. The very valuable brig Young Husband, laden with dry goods, hardware, &c. from Bristol (E.) for Madeira, sent into Newport, by the Governor Tompkins.

## THE CHRONICLE.

APPOINTMENTS.—*Albert Gallatin* to be one of the mission to *Gottenburg* to negociate a peace with *Great Britain*.

*George Washington Campbell*, of Tennessee, to be secretary of the treasury, *vice* A. Gallatin.

*Richard Rush*, of Pennsylvania, to be attorney-general of the United States, *vice* William Pinkney, resigned.

*Ezekiel Bacon*, of Massachusetts, to be comptroller of the treasury, vice Richard Rush appointed attorney-general.

*Christopher Hughes*, jun. of Baltimore and John L. Lawrence, of New-York, to be secretaries of legation; the first at *Gottenburg*, the other at *Stockholm*.

*Michael Leib* (now a senator from Pennsylvania) has been appointed by the postmaster-general, to be postmaster at Philadelphia, *vice* Robert Patton deceased. This creates a vacancy which the legislature of Pennsylvania, now in session, will speedily supply.

### FOREIGN NEWS.

By an arrival at Boston, we have *London* dates of the 25th December. The most important features of the intelligence are—

The people of *Holland* have driven out the French; established a provisional government, and invited the return of the prince of *Orange*; who entered *Hague* in triumph, amidst the acclamations of the people, on the 3d or 4th Dec. ult.

*Switzerland* has declared herself neutral—and, having organized a government, has raised a considerable army for the defence of the country. Napoleon, in his speech to the senate, says he has recognized that neutrality.

In *Hanover* the old electoral authorities have resumed the government.

The *Confederation of the Rhine*, as organized by France, is entirely broken up. The allied princes appear to be engaged in some measures for the preservation of order, &c. It is possible and probable that the greater part of the *German* princes will remain nearly as they were, the kingdom of *Westphalia*, &c. being dissolved. *See the statistical table in vol. I, page 24, of the* WEEKLY REGISTER.

The allied powers have offered peace to *Napoleon*, and will "confirm to the French empire an extent of territory that France under her kings never knew." Bonaparte tells his senate *that he has signed the preliminaries of peace.* This has excited great sensations in *England*; for it is insinuated that these proceedings were had without the concert of the *British* government; and lord *Castlereagh* himself proceeded to the head-quarters of the confederated princes. The ministerial papers seem unwilling to make peace with *France*; they cannot brook the idea of acknowledging *Bonaparte* as emperor of the French: and *Castlereagh*, who understands the business of *buying* and *selling* as well as any man, has probably gone over to prevent it.

The prince of Eckmuhl, with a corps of 25,000 men and a magnificent train of artillery, with large supplies of ammunition, &c. was near Hamburg on the 11th December in a strong position, and aided by the Danes, may perhaps check the movements of *Bernadotte* in that quarter.

*Dantzic* was yet in the hands of the French on the 12th Dec. But, in general, the power of Napoleon may be considered as extinguished beyond the *Rhine*.

From *Italy* our accounts are not so perspicuous.—It is to be presumed, however, that, with the exception of some territories round the head of the *Adriatic*, the country is yet under the authorities of *Bonaparte*, as "king of *Italy*." In his speech, above alluded to, he says, he "is satisfied with the sentiments which his people of Italy have testified"—and in a letter to the duke of Lodi, he says, he is assembling an army of 100,000 men at *Turin*, "and will not, under any circumstances, abandon his people of the kingdom of Italy." He also says, that *Naples* had continued faithful in alliance with him; but there are rumors of the contrary.

*Denmark*, also, remained faithful to her treaties with *France*. Surrounded as she is by her enemies, her fate is their hands. *England* and *Sweden* agreed "*in the name of the Holy trinity*" to despoil her of *Norway*; but *Alexander* will probably prevent it.

In *Spain* there does not appear to be many French troops. The seat of government was about to be re-established at *Madrid*. There has been terrible fighting between *Wellington* and *Soult* near *Bayonne*. From the statements, it is likely that each may claim the victory. They have contended with uncommon obstinacy, and great loss.

*Extracts from Napoleon's speech to the senate, Dec.* 19.

"Splendid victories have raised the glory of the French arms during this campaign; defections without parallel have rendered those victories useless—all has turned against us. France itself would be in danger but for the union and energy of the French.

"I have never been seduced by prosperity. Adversity will always find me superior to its attacks.

"I have several times given peace to nations when they had lost every thing. From a part of my conquests I have raised thrones for kings who have forsaken me.

"I had conceived and executed great designs for the prosperity and happiness of the world. A monarch and a father, I feel that peace adds to the security of thrones, and to that of families. Negociations have been entered into with the allied powers: I have adhered to the preliminary basis which they have presented. I had then the hope, that before the opening of this session the congress of Manheim would be assembled; but new delays, which are not to be ascribed to France, have deferred this moment, which the wishes of the world eagerly call for."

The account of the capture of the *Texel* fleet is not confirmed. It was thought that *Antwerp* and the *Scheldt* fleet might fall into the hands of the allies.

*Official declaration of the allied powers.*

The French government has ordered a new levy of 300,000 Conscripts. The motives of the senatus consultum to that effect contain an appeal to the allied powers. They, therefore, find themselves called upon to promulgate anew in the face of the world, the views which guide them in the present war; the principles which form the basis of their conduct, their wishes, and their determinations.

The allied powers do not make war upon France, but against that preponderance, haughtily announced—against that preponderance which, to the misfortune of Europe, and of France, the emperor Napoleon has too long exercised beyond the limits of his empire.

Victory has conducted the allied armies to the banks of the Rhine. The first use which their imperial and royal majesties have made of victory, has been to offer peace to his majesty the emperor of the French. An attitude strengthened by the accession of all the sovereigns and princes of Germany, has had no influence on the conditions of that peace. Those conditions are founded on the independence of the other states of Europe.—The views of the powers are just in their object, generous and liberal in their application, giving security to all, honorable to each.

The allied sovereigns desire that France may be great, powerful and happy; because the French power, in a state of greatness and strength, is one of the foundations of the social edifice of Europe.—They wish that France may be happy—that French commerce may revive—that the arts, those blessings of peace, may again flourish; because a great people can only be tranquil in proportion as it is happy. The powers confirm to the French empire an extent of territory which France under her kings never knew; because a valiant nation does not fall from its rank, by having in its turn experienced reverses in an obstinate and sanguinary contest, in which it has fought with its accustomed bravery.

But the allied powers also wish to be free, tranquil and happy themselves. They desire a state of peace, which by a wise partition of strength, by a just equilibrium may henceforward preserve their people from the numberless calamities which have overwhelmed Europe for the last twenty years.

The allied powers will not lay down their arms, until they have attained this great and beneficial result, this noble object of their efforts. They will not lay down their arms, until the political state of Europe be re-established anew—until immovable principles have resumed their rights over vain pretensions, until the sanctity of treaties shall have at least secured a real peace to Europe.

*Frankfort Dec.* 1, 1813.

It is stated that the royal family of Portugal were preparing to return to *Lisbon* at the last dates from the *Brazils*.

It is said the British propose to lay up 20 or 30 ships of the line, as unnecessary in the present relative maritime strength of the world, and to equip with their crews a greater number of frigates.

A Vienna paper contains an official article declaring the dissolution of the Rhenish confederation.

A Caravan, with 3000 travellers, going from Mecca to Aleppo, was overwhelmed in the Arabian deserts, and all but 20 perished.

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THE CHALLENGE. [We are authorised to give the following authentic and particular account of the late communications between the American and British squadrons on the New-London station. Com. Decatur is overshadowed with laurel and has erected a proud monument of fame for his country; and altho' the enemy in this instance has refused to permit the commodore to wrest from him a blood-stained trophy; there is no man whose heart American blood warms, does not exult at this victory of pride. The refusal of this challenge is a novel fact in the history of the world! When before have Englishmen refused to fight frigate to frigate; man to man, and gun to gun? Never.]——*Boston Gaz.*

"A little more than a fortnight ago, Mr. Moran, a citizen of the United States, was landed from the British ship Ramilies, and not knowing commodore Decatur, stated in his presence, in Brown's tavern, New-London, that immediately previous to his being landed, captain Hope, of the Endymion frigate, being with him and sir Thomas Hardy, in the cabin of the Ramilies, enquired of him, whether "he did not think the frigate United States, would not think it her better policy to annoy the British commerce, than to seek an action with that ship?" Sir Thomas Hardy then remarked, that he should be delighted to see a match between the Statira and Macedonian, as they were sister ships; that he would furnish men, and give room; but that he would not allow a challenge to come from his side. Commodore Decatur examined Moran as to the statement, and being satisfied of its correctness, resolved to offer to Sir Thomas and captain Hope, an opportunity to gratify their wishes. To this he was induced from having heard a number of other conversations of captain Hope, which led him to believe that the Endymion was considered equal at least by her commander, to any of our frigates; but principally, because captain Broke, (now Sir Philip) had taken pains, in his note to captain Lawrence, to express his surprise that Commodore Rodgers, in the President, and captain Smith in the Congress, had avoided him in the Shannon, and captain Parker in the Tenedos, notwithstanding the repeated invitations given them by the coasters, &c. The commodore took it for granted, that if Sir Philip would avail himself of his chalk hierogliphics on shingles and his remote innendoes, to the common skippers of wood boats and lumber shallops, to impeach Rodgers' and Smith's willingness to meet and fight them on equal terms; that captains Hope and Stackpole, with Sir Thomas Hardy too, perhaps, if the American squadron should have a chance to get to sea, unobserved by them, (which the commodore is under orders to watch for and embrace,) would be expressing their surprise, that he should have taken advantage of the* easterly weather,' and thus have avoided a combat, which they had repeatedly offered "on equal terms". The commodore, therefore, sent a note by captain Biddle, to Sir Thomas Hardy, in which he stated, that if Sir Thomas admitted Moran's statement to be correct, he should surmount the object "of who should give the challenge," and begged him to consider that as an invitation for the meeting between the U. S. frigates United States and Macedonian, and the British frigates Endymion and Statira; and that captain Biddle was authorized to make the necessary arrangements for an immediate meeting. When captain Biddle delivered the note, Sir Thomas said he should leave it to the captains of the frigates, and if they were desirous of it, he should certainly not interfere, or attempt to prevent it; professed that he thought the commodore's offer a very liberal one; that it was taking a great responsibility on himself; but if their frigates should be unfortunate, it would certainly break him; but if they were successful, he thought the government would make a *bishop* of him at least. He said they would take the night to consider of it.——Captain Biddle returned; and in the morning, captain Coote, of the Borer brig, came in with a despatch from Sir Thomas, in which he declined the meeting, notwithstanding captain Hope wished it very much, because he thought the Endymion not a match for the United States. With regard to her being a match, I will state, that two years ago, she was commanded by Sir Richard Buttun, and captured Mr. White, the present master of the United States; at that time, they sneeringly complimented Mr. White, by telling him, she was the only frigate they had in commission, that could cope with our Constitution; she had been in ordinary since, until within four months, and we understand has been put in commission, and sent to sea, with unlimited orders to cruise in pursuit of one of our frigates.—She is undoubtedly of more tonnage—heavier armament, and a larger complement of men than any frigate they have now afloat. She mounts two more guns than the United States, and of the same calibre on her main deck. When it was objected that the United States threw a greater weight of metal at a broadside than she did, (which is owing to the United States' carronades being heavier than hers) commodore Decatur offered to dismount till their force was precisely equal; but captain Coote replied, that they did not consider two or three guns of any consequence—"the difference was in the men"—the crews were every thing." [And the editor of the Columbian is informed, that commodore Decatur, after offering to reduce his battery until the enemy should say it was low enough, also, after stating the number of his crews, pledged himself not to increase them, and offered to let the adversary augment his to any amount he pleased.] No further communications have taken place between the parties."

NEW-LONDON, Feb. 9.—We have heard it rumored that sir Thomas Hardy was desirous that the Macedonian and Statira should meet singly, as she was the *sister* ship of the Macedonian, and on *fair terms*.—We can only profess our utter disbelief in this report, from the evidence furnished by sir Thomas' refusal to allow the Endymion to encounter the U. States, after com. Decatur proposed to reduce their armaments to a precise equality.

[Should a match be made up between the Macedonian and Statira, we should expect to see some of the scenes of the battle of Issus re-exhibited; and Statira, like her namesake the proud daughter of Darius, after courting a match with the Macedonian, consent to be espoused by the victor when he shall have brought her into captivity by conquering the arms which protected her.]

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*Our letter-writer ought to have noted, after this complaint of Sir Philip, that the wind being actually in the very point he mentions, obliged commodore Rodgers to beat out of the harbor, and consequently to cross the bay—whereas it being a fair wind for Sir Philip, he had every opportunity of seeking the commodore; and would propably have found him, had he been so disposed.——*Ed. Gaz.*

# THE WEEKLY REGISTER.

No. 26 of vol. V.] BALTIMORE, SATURDAY, February 26, 1814. [whole no. 130.

*Hæc olim meminisse juvabit.*—Virgil.

Printed and published by H. Niles, South-st. next door to the Merchants' Coffee House, at $ 5 *per annum.*

## End of the Volume.

The present number, 130, concludes the 5th volume of the Weekly Register, and brings about the regular period for a general settlement of dues to the editor. The *title page* and *index* will be published in two weeks; but gentlemen who desire to have the supplement for the volume, cannot have it bound until that extensive and valuable appendage shall be finished, which will be in about six weeks. The *supplement* is altogether an *extra* work; to consist of twelve sheets; price *one dollar*, to be paid on ordering it—see No. 123, page 305.

On commencing the *sixth* volume the editor may offer a few remarks, as customary; he has not room for them now.

☞Subscribers residing in *Baltimore* are respectfully notified that at the time of calling upon them for payment of the current year, their support to the *supplement* will be invited.

## Mr. Giles' Letters.

OBSERVATIONS ON NO. III, OF MR. GILES' ADDRESS.

[*By a correspondent of the Virginia Argus.*]

In proceeding to the examination of the 3d number of Mr. Giles's address, I am constrained to remark upon the unfairness of his conduct in undertaking to "*presume*," *for the president*, the grounds upon which the executive acted. It is undoubtedly allowable for him, when writing in his own vindication, to assume for himself what latitude of legal or moral motive he may think proper: but where there is no evidence that the president took any particular clause of the constitution or provision of law as authority for what he did, then there is a manifest impropriety in Mr. Giles's saying that such clause or provision *was* the authority by which the president was guided. If an argument may be managed in that way; if a writer may not only devise his own reasoning, but invent the essential part of that which is to be opposed to him, it would, indeed, be marvellous if he did not batter down every thing before him, and secure a complete triumph! And yet it is thus that the able senator, whose third labor is now before me, has dealt with Mr. Madison, who, he "*presumes*," in granting commissions to Messrs. Gallatin, Adams and Bayard, took that step in virtue of the following clause of the 2d section of the second article of the constitution of the United States.

"The president shall have power to fill up all "vacancies that may happen during the recess of "the senate, by granting commissions which shall "expire at the end of their next session."

And upon this constitutional provision, with great apparent diffidence, he suggests a doubt, "whether the president was authorised to grant commissions to fill offices, *de novo*, which had not been before filled!" Now, if I believe Mr. Giles serious in his suggestion that this clause was the ground work of presidential procedure in the case in question, what must I think of his understanding? And if he is not serious, what can be said for his sincerity? We have heretofore seen him, with hypocritical acumen, dissecting words; but here we find him blundering about a meaning from the plainest phraseology. How can a "vacancy *happen*," except with regard to an office already filled? And who besides Mr. Giles, will doubt that the provision of the constitution which is quoted, refers exclusively to offices previously occupied? It must have been the second paragraph of the second section of the second article of that instrument, most clearly, under which the executive took the measure of issuing commissions to Messrs. Gallatin, Adams and Bayard; for in that paragraph his power to do so is indisputably manifest. It says:

"He shall nominate, and by and with the advice "and consent of the senate, shall appoint ambassa-"dors, *other public ministers*, and consuls," &c. &c.

Will it be contended that the word "*nominate*" relates entirely to a nomination made to the senate, and that a commission cannot properly issue in a new case of ambassador, or minister, until such nomination has taken place? I answer to this cavil, that no law is necessary to create the office of ambassador, or minister, that offices of that description are considered as always existing; and that it is for the president alone to determine *when* they shall be filled. As he is the sole judge of the *time* when a new ambassador is necessary, and as that time is indicated by the exigency of public affairs, he is necessarily controled, and compelled to act, by such exigency. If, for example, Great Britain had notified us, that she had appointed certain ministers to meet ministers on our part, at any certain place to adjust terms of peace, and the senate did not happen at the time to be in session, it will hardly be insisted on that the business ought to have been postponed till the senate could be convened by special notice, or should meet agreeably to law. Ambassadors, and other public ministers, are, in a special manner, the very essence of executive authority, in our intercourse with foreign powers. They are agents, not designated in any country by statute law; but are the creatures of the law of nations. Wherever, in any nation, the chief executive authority is placed, there, altogether, exists the power to institute embassies, missions, &c. you will no where find, in our constitution, provision for creating ambassadorial or foreign ministerial offices. The very being of such offices, exists entirely in the will of the president. He may cause them to be filled at any moment; he may also vacate them whenever he chooses. When, in the recess of the senate, the national exigencies render a new minister indispensable, in the opinion of the executive, a commission issues of course, until the senate meets. During its session, the president, according to the injunction of the constitution, nominates, and the senate assents or rejects: If the senate rejects, the executive may nominate another person to the same post. This course of proceeding has in some instances, been pursued, in relation to consuls, who are included in the same clause of the constitution which relates to the appointment of ambassadors, and must there-

fore follow the same rule. It was never, I believe, formally objected to in the case of consuls by the senate. The nomination of Mr. Short, who was unanimously rejected, was not negatived because he was commissioned before he was nominated to the senate; but, as I have understood from a good source, on account of some personal objections. In truth, if the president could not *forthwith commission*, at the instant he decided the new public minister to be necessary, he would on some occasions, inevitably lose all the advantages to be derived from *opportunity*. It is evident to me, that it is not the business of the senate to decide upon the policy or impolicy of appointing ambassadors and other public ministers: Their duty, I apprehend, consists in preventing improper individuals from occupying those posts.—"*The senate*," as Mr. Giles states in his No. II, "*is the passive preventive power.*" But how preventive? Why, by rejecting the men nominated by the president. If that body can exercise a negative upon all *missions*, at their first institution, as well as upon the individual designated to personify them, then, it is manifest, the executive is thrown out of his peculiar constitutional line, as the political guide of the United States with respect to other countries. He would no longer be, what Mr. Giles allows him to be, "*the active originating power.*" Hence, I hold the resolution of the senate, in the case of Mr. Russell, declaring it "inexpedient" to send a minister plenipotentiary to Sweden, to be a species of usurpation of the executive function. It may be asked, where, in that case, is the check upon the president? I answer, in the power of withholding money, which congress possesses. Withhold his pay, and the minister is defunct. The check, growing out of the preventive power of the senate, is also formidable. It obstructs, by refusing to approve persons nominated. But in no instance can the senate, as I conceive, constitutionally, discuss and determine, in form, concerning embassies or missions. The same paragraph of the constitution which renders the advice and consent of the senate necessary with regard to ambassadors and public ministers, also requires their advice and consent to the making of treaties. The president, says the constitution, "shall have power, by and with the advice and consent of the senate, to make treaties." But it is not alleged before the treaty is made, or in the making it, the executive shall consult the senate whether he shall make a new treaty or not. When the treaty is framed, then it is laid before the senate, and that body either ratifies or condemns it. If the senate could partake in the power of designating *when* new missions should be instituted, it would, as a correspondent attribute, be associated with the president in the reception of ambassadors and other public ministers. But we find that is not the fact. The constitution enjoins the president alone to receive them. The senate cannot constitutionally even claim access to the executive documents; nor are the instructions given to our public ministers laid before them, except at the pleasure of the president. All which circumstances go to prove, that the senate is not viewed by the constitution as a tribunal to decide, in the first instance, with respect to the expediency or inexpediency, the policy or impolicy, of executive measures. The passive, preventive negative on persons nominated, is the limit of the senatorial power in this respect. How that body can undertake to determine a new ministerial institution inexpedient, when it has not, and is not contemplated to have, a full view of the whole executive ground, is to me astonishing. The attempt to penetrate the presidential intellect in an unlawful form, I have already exposed; and I have no hesitation in saying, that the closer the senate is confined to its strict constitutional authority, the better for our liberties. When we reflect that it is, in its nature, *a perpetual senate*, and that it only wants the abolition of party spirit among its members, and the introduction of an *esprit du corps*, to make it absolute, there is every reason to tremble for the integrity of the constitution. The president will scarcely ever fail to give proper information to the senate, he will do that, in general, for his own sake, in order to justify himself to the people, to whom he is responsible. But to let the senate, at the first blush, into all his opinions; to take counsel of the senators, *in senate*, as to the propriety of his measures in their incipient state, and to be guided entirely by their votes, would be to relinquish his own peculiar function, and to resort for guidance to a tribunal which the constitution does not indicate. The senate is designated as an *adviser* AFTER nominations, not BEFORE them. The only constitutional advisers before nomination, are the heads of departments, whose opinions the president may require in writing, if he is disposed to do so.

But, let opinions vary as they may on this topic, the question appears to have been determined entirely in favor of the executive; for, notwithstanding Messrs. Bayard and Adams were commissioned before they were nominated to the senate, they were approved by that body; and, if any further approval were wanting, it may be found in the voice of the people, who, in a great measure, are about to give a verdict for the president and against Mr. Giles. If there had been sufficient time to lay the nominations before the senate, prior to the issuing of the commissions, it might have been well enough to have pursued that course; because, in that case, delay would have made no difference as to the object in view. There was not, however, sufficient time, all things considered, to wait for the meeting of that body. I know that those who think with Mr. Giles, will at once reply to this observation, as Mr. Giles has said himself, that the time at which our envoys left the United States, was not more than twelve or fourteen days previous to the meeting of the senate. This answer supposes that the senate would, immediately on its meeting, have proceeded to act upon the nomination of the envoys; which, in my opinion, could not have been depended on, as I shall attempt to demonstrate.

The respect which every good citizen is disposed to pay to the institutions of his country, induces him, when speaking of any branch of the government, to treat it as if it proceeded to fair objects, by the direct road of pure reason, impelled by motives of virtue alone. Yet, at the very moment that this language is held, for the sake of decorum, and in consequence of those observances which the world deems indispensable in form, there is not a solitary individual who has the least knowledge of political affairs, that does not know, and believe, that in most of the branches of government, and particularly in those composed of numbers, private motives, of ambition, hatred, friendship, or revenge, mingle with considerations of public utility or national policy.—As an instance of this it is notorious, at the city of Washington at least, that the senators of the United States were, at the last session of that body, split into *three parties*; to wit: A party friendly to the executive and his measures; the federal party; and a party of disaffected republicans, at the head of which was Mr. Giles. With such a senate containing two parties, equal in number to that which was well disposed to support the policy of the executive, how could expedition be looked for, especially in an affair so delicate as that of the Russian mediation, where there was so much room for misrepresentation,

and so many persons disposed to discolor facts?—The federal party, following its usual and well known course, would naturally seek to embarrass, in hopes to profit by confusion; and the party which was directed by Mr. Giles, discontented and restless, would not fail, if it could only act upon a plausible pretence, to throw obstacles in the way of harmony and promptness of proceeding. It was also well understood that Mr. Giles was the implacable enemy of Albert Gallatin; and it was confidently believed at the time, that he would oppose the nomination of the secretary of the treasury, by every contrivance that he could imagine. Procrastination, therefore, would have been the unavoidable effect of postponing the issuing of the commissions, until the approbation of the senate had been obtained. Such procrastination would have blasted the benefit, in relation to public opinion, which the acceptance of the Russian mediation, was calculated to secure. It is known to Mr. Giles, and to every man of experience, who is acquainted with the nature of our government, that public opinion is every thing; that without it, no description of politicians can manage the national affairs, particularly in a period of war, with any vigor whatever. It was all important, therefore, for the executive to engross public opinion; and that could only be done by impressing the people, by acts with a conviction of the real disposition of the president with regard to peace and war.—By the act of accepting the Russian mediation without the least hesitation, the most incredulous could not doubt that it was the sincere desire of Mr. Madison to seize every fair occasion to procure peace; and this conviction gave additional energy to our citizens in prosecuting the war, which they were thus taught most truly to view as just and necessary, and not to be continued a day longer than it was possible to restore peace upon conditions with which the public were well acquainted, and which the best heads in the nation, some even of the federal party, admitted were the least we ought to exact. It is very true, as Mr. Giles says, that in the introductory stage of the Russian mediation, the cabinet of London observed the "most sullen silence" upon the subject. But her partizans in this country were on the watch; and it is indisputably certain, from particulars and manœuvres which the honorable Mr. Pickering has developed, that had the executive wavered in accepting the emperor of Russia's offer, or had he for the instant declined it, those partizans would have come out and denounced him as a war-hawk, not in the least disposed to make peace, although it was proposed to him from such a respectable quarter as Russia. Nay, it is highly probable, that the British cabinet itself, bursting its "sullen silence," would have seized the occasion to declare its acceptance of the mediation, and thus corroborating the clamor here, have given a bias to public opinion which the president might have found it extremely difficult to counteract. Now, it is to be observed, that in accepting the mediation of Russia, it became proper to give some *proof* of the acceptance, to do some *act*, by which the people might see, or hear, that the president had accepted. The act most natural and proper, was the designating the envoys, and issuing commissions to them. For, had he not issued the commissions until the senate met, it would not have been an actual acceptance of the offer, but a promise to accept, which promise would remain to be fulfilled on the meeting of the senate. And that body, consisting, at that time, of three different parties, two of them hostile to the executive, and equal to the one that was friendly, would, upon every rational estimate of its proceedings, impede the consummation of the executive promise, so as to render it doubtful, for a month or six weeks whether the mediation would eventually be accepted or not. The proceedings of the senate being all that time kept secret, the people might suppose the president was not sincere in his desire for peace; the outcry of British partizans would have been thus countenanced, public opinion might have fluctuated, and the executive have thus lost the benefit which subsequent events have shewn that he has derived from the course he pursued. It will be seen that I speak with frankness; and I presume that what I state, however unpleasant it may be to the affected delicacy of some double dealing politicians, is in a style that will be understood and credited by men of plain sense, who pursue, in all their investigations, nothing more than the good of their country. I do not, indeed, profess to write for posterity; but endeavor to instil that truth, in which posterity delights, into the minds of the present generation. It was not for the executive to wait the determination of Great Britain, before he acted upon the Russian mediation. In every respect that would have been an impotent policy. It would have been, to follow, where we had invariably professed to lead. By acting without a knowledge of what the enemy would do in the affair, we went forward upon our own motives, shewing thereby an independent resolution, not to be tricked or deceived by the artifices of the British ministry. If any inference could be drawn, relative to the mediation, from what Mr. Giles calls "the astonishing successes of the allies of Great Britain on the continent of Europe," surely it must be favorable to the object of the emperor of Russia's offer. Who was the principal of those successful allies? Russia, most undoubtedly. Might it not, therefore, be reasonably expected, that that very Russia, whose alliance was so useful and precious to the British, would have great influence with our enemy in bringing him to an admission of the wrongs he had done us, and to a stipulation for a cessation from them in future? This head of the argument might be pushed much farther, with great advantage to the executive; but as Mr. Giles has not insisted on the part of his address to which it has reference, as material, I will pass on to the pith of his strictures on the nomination of Mr. Gallatin.

As the basis of his objection to Mr. Gallatin, Mr. Giles states two propositions:

1. That the appointment of envoy, is incompatible with the post of secretary of the treasury.

2. That the substitution of a person to perform the duties of secretary of the treasury, in the place of Mr. Gallatin, was unlawful.

The whole amount of what Mr. Giles says upon the first proposition is, as I understand it, this: That the office of secretary of the treasury involves many important and delicate duties, which require a constant attendance at the treasury department in Washington; and that Mr. Gallatin, not being possessed of the power of ubiquity, cannot perform the functions of envoy at St. Petersburg, and those of secretary in Washington city, at one and the same time. This, I presume, will all be admitted; and I cannot conceive why Mr. Giles should have gone into such a detail of law and reasoning to prove it, unless it were to procure an opening for some of those *hard hits*, which, by broad inuendo, he makes at Mr. Gallatin. These *hits*, in my opinion, are not perfectly fair, especially against an *absent* man: nor are they conformable to the doctrine of Mr. Giles himself, who strenuously contends for the sanctity of *motives*, and their preservation from the rude implications of political commentators!

It will be perceived, however, that there is no force in the arguments in support of this first propo-

sition, unless the second is completely established: for, if the president may lawfully substitute a person to perform the duties of secretary of the treasury in the absence of Mr. Gallatin, then, of course there is no incompatibility between the offices of envoy and secretary; as, in that case, Mr. Gallatin can perform the functions of envoy at St. Petersburg and the substitute can perform the functions of secretary at Washington. The first question, therefore, to be examined, is, *had the president lawful power to appoint a substitute to Mr. Gallatin, under the circumstances?* Mr Giles thinks he had not: I think he had.

On the 8th of May, 1792, congress passed an act, of which the following is a section, now in force:

"That in case of the death, *absence from the seat of government*, or sickness of the secretary of state, secretary of the treasury, or of the secretary of the war department, or of any officer of either of the said departments whose appointment is not in the head thereof, whereby they cannot perform the duties of their said respective offices, it shall be lawful for the president of the United States, *in case he shall think it necessary*, to authorize any person or persons, *at his discretion*, to perform the duties of the said respective offices, until a successor be appointed, or until such absence or inability by sickness shall cease."

It was under this section of law that the executive appointed William Jones, esq. to perform the duties of secretary of the treasury in the absence of Mr. Gallatin. The power of the president, it may be observed, in case of absence is clear and explicit. But Mr. Giles objects that Mr. Gallatin's "*absence from the seat of government*" is not the absence contemplated by the act of congress; and that Mr. Madison created the absence; and of course the necessity for a substitute, which he alleges is unlawful. Yet he no where produces any legal provision in support of his opinion. He makes a long argument, it is true, to shew what the law *intended*; which, however, is not in any way sustained by what the law *expresses*; and where the *expression is clear* it is out of all rule to assert an *intendment by construction*. Noy, in his maxims, tells us that "all acts of parliament (and, in like manner, all acts of congress) as well private as general, shall be taken by reasonable construction, *to be collected out of the words of the act only*." Mr. Giles goes into a construction not warranted by the words of the act; for those words are without the least restriction, and do not limit the distance to which the head of a department may travel, either in or out of the country. The section which I have quoted was made, it will not be denied, for the accommodation or personal convenience of the heads of departments, when they might wish to be absent on private business, or were detained at home by sickness. If, then, they are thus to be indulged on their own account, and may be substituted by temporary incumbents for such a case, how much stronger is the reason for constructing their absence to admit of a substitution when the *public interest* call them abroad? As to Mr. Giles' criticism, that the phrase, "*absence from the seat of government*," does not include absence from the United States, because a minor proposition does not embrace a major, it is sufficiently answered by the consideration, that the "seat of government" is merely referred to in the law as the place of political residence of the secretaries; and if they are absent from that, all other places, far or near, are indifferent in the eye of the act of congress. I may also observe, that the president is made the judge of what kind of absence renders the appointment of a substitute expedient; for the words of the section are, "*in case he shall think it necessary*," and, "*at his discretion*." That he created the absence which rendered the exercise of this discretion indispensable, is no solid objection; there being no law to prohibit the head of a department from becoming an envoy, nor any provision restraining the executive from nominating a secretary to that post. What is said concerning Mr. Jay, does not apply; and if it did, the sentiment against it is nothing but opinion. Long as the republicans have been in power, they have never enacted any thing to prevent the case of Mr. Jay from operating as a precedent. His appointment, nevertheless, was, as Mr. Giles avows more inadmissible than Mr. Gallatin's; and moreover, it was not analogous. In Mr. Jay's case, the *executive* selected his envoy from the judicary; whence the republican party insisted on an incompatibility, on account of the intermixing of the members of two separate and independent branches of the government. Mr. Gallatin, on the contrary was a member of the executive administration; and consequently there is no incompatibility on that score, nor does Mr. Giles pretend that there is. This distinction fully vindicates Mr. Madison's consistency; as he may very cordially have disapproved of Mr. Jay's nomination, have very cheerfully nominated Mr. Gallatin, and still be a strict adherent to the republican principle avowed in 1794.

But there is another act on the subject of absence from the seat of government, which Mr. Giles quotes, and I will quote likewise. It was passed on the 13th of February, 1795, and is in these words:

"That *in case of vacancy* in the office of secretary of state, &c. whereby they cannot perform the duties of their respective offices, it shall be lawful for the president of the United States, in case he shall think it necessary, to authorise any person or persons, at his discretion, to perform the duties of the said respective offices, until a successor be appointed, or such vacancy be filled: Provided, That no one vacancy shall be supplied, in manner aforesaid, for a longer term than six months."

This law, does not profess to *alter*, or *repeal*, the section enacted in the year 1792. The title of it states that it is to "*amend*" the act containing that section. Now, one law may *amend* another law, by *adding to* its provisions; and this is the case with the act before me. The law of 1792, and that of 1795, are separate acts, and the president may select which he pleases to proceed upon. They do not interfere with each other, the "*case of vacancy*" in the latter, not having any expression referring to "absence from the seat of government" as expressed in the former. Both the acts are regarded as existing, according to the rule laid down by sir WILLIAM BLACKSTONE, page 90, volume I, where he says, "if by a former law an offence be indictable at the quarter sessions, and a latter law makes the same offence indictable at the assizes; *here the jurisdiction of the sessions is not taken away; but both have a concurrent jurisdiction, and the offender may be prosecuted at either*; unless the new statute subjoins express negative words, as, that the offence shall be indictable at the assizes, *and not elsewhere*." The act of 1795 has no negative words, constraining the president to appoint under it, and not under the section of that of 1792; his power to appoint under the first, is not taken away by the last; and he may, according to the legal rule, appoint in virtue of either of the two acts that he may think most applicable to the case.

In truth, the law of 1792, and that of 1795, are materially different in their object. The one speaks of "absence from the seat of government, or sickness;" the other speaks of an absolute "vacancy."

In the one instance the appointment of a substitute for a secretary may endure "until such absence or inability by sickness shall cease," in the other only for "six months," or "until a successor be appointed, or such vacancy be filled." If the reader will note, with the least precision, the different phraseology of the two provisions, he will at once confess that they must have been made for different purposes: for, how do the words "a successor be appointed" or "vacancy be filled," correspond with the words "until such absence or inability by sickness shall cease," which latter do not allow room for a "successor," nor suppose any "vacancy" whatever?

My own opinion is, that the section of the act of 1792 was intended by the legislature, to enable the executive to indulge a valuable officer of his department, in reasonable conveniences, or to employ him at a distance from the seat of government, at home or abroad, *temporarily*, "at the president's discretion," in promoting the public welfare; and that the act of 1795 was, on the other hand, intended to put it in his power to check the idleness of such heads of departments or others, as might be disposed to loiter away their time, at a distance from their official duties, inasmuch as if he should authorise a substitute to officiate for such idlers under the act of 1795, it would save the executive from the unpleasant alternative of peremptorily dismissing them. It would signify, that the president gave to their absence the character of a vacation to their offices, to which he might nominate them again or not, as he might deem best for the public interest, it being indispensable, by the act of 1795, that "a *successor*" be appointed to fill the "*vacancy*" mentioned. Mere *absence* is evidently not *vacancy;* and therefore *vacancy* cannot apply to mere *absence*. The issuing a commission to Mr. Gallatin, did not, by any prevailing law, *vacate* his office of secretary of the treasury. The president, who is the best judge of his own intentions, did not mean that the one should vacate the other. Hence, when he informed the senate that the office of secretary of the treasury was not vacated, he acted in a manner strictly conformable to truth and law.

Having, as I think, fully proved that the executive had ample power to appoint a substitute for the secretary of the treasury during Mr. Gallatin's absence, Mr. Giles's proposition concerning the incompatibility of the duties of Mr. Gallatin's two offices falls to the ground. And here I will take occasion to remark, that the resolution of the senate, which asserts such incompatibility, is founded upon a palpable error, as after I have quoted the resolution itself, I will make apparent:

"*Resolved*, That in the opinion of the senate, the powers and duties of the secretary of the department of the treasury, and those of an envoy extraordinary to a foreign power, are so incompatible, that they ought not to be, and remain united in the same person."

This resolution, adopted on the 15th day of June last, had special allusion to Mr. Gallatin. Yet it was well known to all the senators at the time, that the powers and duties of secretary and envoy were not, practically, united in his person: He still held the appointment of secretary of the treasury; but Mr. Jones was the acting secretary whilst Mr. Gallatin was charged with the business of envoy. In this respect, therefore, there was, virtually, no union of incompatible duties. So distinctly was this marked, that Mr. Gallatin relinquished his salary as secretary as soon as Mr. Jones was commissioned; and Mr. Jones himself receives no compensation for the services he renders in that respect. The amount of the salary is saved to the public during the whole time of Mr. Gallatin's absence. But the chief error of the resolution consists in its assuming, by inevitable implication, that the two offices were to "*remain* united" in his person. It was universally known that the entire mission to St. Petersburg was a *temporary* thing. In its very nature it was temporary; and I will undertake to say, without the fear of contradiction, that there was not a single senator who voted on the occasion, that did not believe that Mr. Gallatin would return to Washington in the autumn or winter of the present year, or, at the utmost, early in the year 1814—Then, with what kind of justice or propriety, could a resolution be adopted, *to bear directly upon Mr. Gallatin*, asserting the perpetuation of two offices in his person, when the contrary was notorious? I have often endeavored to account for the adoption of this resolution by the senate; and, with the most unfeigned respect for that body, I can satisfy myself in no other way, than by supposing it to have been voted by most of the majority of the members without due examination. It is impossible they should have voted for it, if they had perceived the glaring error which it embraces.

In support of his main argument, Mr. Giles assumes that Mr. Jones, as a substitute for Mr. Gallatin, is merely a nominal officer; and thus, by reducing the former to a *sign manual*, insists upon the necessity for the presence of the latter at Washington. On what does Mr. Giles found that assumption? Why, he alleges that the inference is inevitable from a statement made to congress by Mr. Jones himself. And what was this statement? "One of his first acts (says Mr. Giles) after taking possession of the navy department, was, to call for assistance in the execution of its duties; they being deemed too burthensome for an individual." In this part of Mr. Giles's address I do not hesitate to charge him with what the logicians call the *suppressio veri*: He has not told the *whole* truth. In our courts of justice a witness is sworn to tell "the truth, the *whole truth*, and nothing but the truth." This form of oath is meant and is necessary to draw out all the pertinent circumstances in the case. If Mr. Giles had been sworn according to this form, he would have told the people that the assistance which Mr. Jones called for, was not *intellectual* assistance: It was not that kind of assistance which appertains to the *capacity* to investigate and determine the points of his secretarial administration of the navy. It was altogether a different kind of aid that he wanted and asked for. It was the assistance of *clerks* that he solicited; of *clerks*, not to interfere with the peculiar duties of secretary, but to *record*, to copy, and to file away letters and papers, which the prevalence of war accumulated in a greater proportion than formerly.*

* The following is the letter of Mr. Jones calling for the aid alluded to:

Navy Department, Feb. 6th, 1813.

SIR—The papers marked A. and B. which I have the honor herewith to transmit, have been prepared in obedience to the act of 21st April, 1806, regulating and fixing the compensation of clerks, &c.

As the act referred to *requires*, that I should report to congress whether the business *for clerks* has increased or diminished, have the honor respectfully to observe, that the business must necessarily have considerably increased, among other causes tending to produce an increase of the business of the department, the war in which we are engaged and the recently authorised increase of the navy, have obviously had this tendency; and I would recommend an additional appropriation sufficient to enable me to employ two able *clerks*, in addition to the number already employed. I have the honor to be, &c.

(Signed) W. JONES

Hon. speaker of the house of representatives.

This sort of aid is always asked for as the business, or in other words the clerking, mechanical part of the public duties increases. The post-master-general and other officers frequently solicit such aid. No body imagines it is because they are incompetent to the duties—to the duties which are strictly their own. The requisition for additional clerks, therefore by Mr. Jones, was no proof that the *peculiar, personal* duties of the secretary of the navy, were deemed by him "too burthensome for an individual." The president superintends the whole of the departments of government; yet if there were twenty more departments, he might still superintend them. The division of business under different heads, no doubt enables him to go through with government affairs in a prompt and a satisfactory manner; and, in some degree, the secretaries may derive aid in minor matters, in the extension and formal part of business, from some of their clerks. But as to principles, and rules of procedure, the secretaries, under the direction of the executive, must always themselves determine. Mr. Giles does not deny that Mr. Gallatin had prepared, previously to his departure for St. Petersburgh, all the revenue bills; and this was all that was necessary, in any important point of view, from the treasury, at the extra session of congress in May. Whatsoever deficiencies there might have been in those bills, they were such as could be supplied by the "dependent clerks of the treasury," as well as by any body else; for they were nothing more than the blanks that remained to be filled in relation to the direct tax, and other particulars, which any man, who understands arithmetic and is entitled to the reputation of a legislator, with a very little industry, might readily supply.—That the defects of the bills *could* be supplied, in the absence of Mr. Gallatin, is proved by the fact, that they *were* supplied; as the bills were enacted into laws, with as much expedition as any laws, equally interesting to the community, ever were. With respect to the chancery powers of the secretary of the treasury, they are not so much liable to caprice as Mr. Giles imagines: There are certain *established rules*, which from the institution of the department, have grown up, and furnish precedents for almost every possible case. These render the administration of the office easy in that particular, and within the scope of such faculties as common clerks usually possess. There is another thing to be considered: In the treasury department there are several responsible officers of high trust. These are the auditor, the register, the treasurer, and the comptroller, who is next in dignity to the secretary himself, and is always a man of abilities: Witness, Gabriel Duvall, Esq. the late comptroller, now an associate judge of the supreme court of the United States; and Richard Rush, Esq. who, prior to his appointment to that office, was attorney-general of the state of Pennsylvania. All these aids, it may be well imagined, enabled Mr. Jones to proceed very accurately with the routine of treasury business, in addition to the business of his own proper office. Before new or extraordinary duties are required, Mr. Gallatin will have returned. It ought not to be forgotten, likewise, that the executive is consulted in person, even when Mr. Gallatin is at the seat of government, in all doubtful and delicate cases. From these considerations, it is perceptible that the sarcasm which Mr. Giles levels at the absent secretary loses its edge; for how can it be said that he wilfully fled from his post when he had the fairest chance of exhibiting his financial talents and when he was most wanted, knowing, as we do, that he left behind him bills so matured that congress would pass them into laws with little or no variation? This brings me to speak of Mr. Gallatin as a foreigner and of his abilities.

I am not conscious of being fond of foreign born men. I am sure that I love my country. What I mean by my country is not the mere soil on which I tread, further than its scenes and its varieties furnish generous affections to the heart, and rational thoughts to the understanding. My country consists of my parents, living or dead, and of the *memory* I have of them; of my relatives and their connexions; of the youth with whom I have been bred, and have grown up to manhood; of the moral and political images with which I have been impressed, and which have become so familiar as to be essential to my happiness; of the prosperity which exists among my fellow citizens; of the noble spirit which they manifest on great occasions; and of the splendid train of thoughts that this spirit may inspire. Go where I will, my country, in the likeness of what I mention, will follow me. And so, I presume, will any man's country follow him. Every one at bottom, I am convinced, likes his own country best. But there may be motives for a man's leaving his native land. His parents, his relatives, his acquaintances, the original images of his mind, may wound and disgust him; he may not occupy the rank he thinks he merits; he may be unfortunate in business; he may be persecuted for his religion or his politics, and may fly for refuge or promotion to a strange community. There is, nevertheless, not one, I believe, that, let him enjoy the station he craves at home, would seek to naturalize himself abroad. But if, for whatever cause, an emigrant should arrive among us, and by our laws be converted into a citizen, I would not, for that reason, look upon him with vain jealousy and discontent. I would not make my country, every man's country, without probation: But when, according to law, the stranger had regularly approved himself worthy, and been admitted into our society, I would not churlishly refuse to him the rights, in their utmost latitude, which his new character confers. It is not denied that Mr. Gallatin is a naturalized citizen; it is not denied that he may be legally promoted to the first offices under the president; it must be confessed that he has rendered considerable services to the republican party—to that party which is now in the ascendant; and Mr. Giles himself does not deny him to be a man of talents. Then why not make him envoy? Why not take him, for a season, from the treasury, and employ him usefully for the public in another situation? Would it have been just, after all his services, to have sent him to St. Petersburg at the price of his office of secretary? Let the majority answer.

Mr. Giles, however, is of opinion that "there are many, very many gentlemen in the United States, possessing talents equally competent to all the purposes of his mission." But what is meant by this word "*talents*" concerning which we every day hear so much? Are we not often imposed upon by it? By a man of "talents," I understand one who has a good natural capacity, disciplined by study, and application in any line or lines of business, to great and superior dexterity in that line or those lines. In respect to these, he will, in that case, be a man of "*talents*." There are, I doubt not, in the United States, many men of equal, and, perhaps, superior, *capacity* for diplomatic talents, to Mr. Gallatin. But where is the man that is out of office, and would be willing to act, who has had Mr. Gallatin's discipline in relation to the object of this mission? He has grown up with the republican party; he is acquainted with all its principles and reasonings; he has been the coadjutor of Jefferson, Madison, Monroe, and all the republican worthies; he is intimately informed of

all the sentiments of the present executive concerning commerce, impressment, and territorial limits; and, above all, he has presided for twelve years over the treasury department, from which he could not avoid gaining a deep insight of our trade with all quarters of the world, and be thereby better qualified to regulate that which will be carried on between the United States and Great Britain on the return of peace. On the whole, I do not see how the president could have made a more proper selection.

I shall close these observations, without dwelling upon the frightful picture which Mr. Giles has drawn, of what might *possibly* happen, if such a man as Aaron Burr were president. It is sufficient to say, that *for extreme evils there are extreme remedies*: Nor will I discuss the case of general Dearborn and his son, but that is to be judged of on its own merits. But, in relation to the latter, I will remark, that the president could make no binding bargain to appoint the son successor to his father. If the senate would not consent to the father's being a major-general, without the *"arrangement"* to which Mr. Giles alludes, then the accusation lies, not against the president, but against the senate, for so disgraceful a commerce. It is for Mr. Giles to settle the affair with his honorable colleagues.

## Legislature of Pennsylvania.

RESOLUTIONS.—The people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defence, to promote the general welfare and secure the blessing of liberty to themselves and to their posterity, did ordain and solemnly adopt a constitution for the United States. "This government, the offspring of our choice, (says Washington) uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, has a just claim to our confidence and support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. And the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts, merits the frown of indignity." This constitution, the palladium of our political prosperity and safety, declares that congress shall have power to provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions; to provide for organizing, arming and disciplining the militia, and for governing such part of them, as may be employed in the service of the United States. The constitution also declares that "This constitution, and the laws of the United States which shall be made in pursuance thereof, shall be the supreme law of the land." It also further declares, that it is treason against the United States to levy war against them, to adhere to their enemies or to give them aid or comfort. In pursuance of the powers thus vested in the congress of the United States, they did pass laws providing for the calling the militia into the service of the United States and for their government while in that service, enacting, that while employed in such service they should be subject to the same rules and articles of war as the troops of the United States; and also imposing a penalty on all those who should encourage or promote desertion among the troops in said service.

In the face of those constitutional provisions, and laws enacted by congress in pursuance thereof, the legislature of Pennsylvania beliold with astonishment and high disapprobation the executive of a sister state issuing his proclamation ordering a detachment of the militia of that state, then in the service of the United States, to desert that service, and return to their respective homes. With no less astonishment and disapprobation do they behold, a resolution laid on the table of the legislature of another state, evidently intended to intimidate, or to prevent the congress of the United States from directing the president to institute a legal inquiry whether or not the constitution and laws of the U. States have been violated by the aforesaid proclamation, accompanied by a threat that if such inquiry is instituted they will aid in resisting it—a procedure calculated to add to the calamities of the war in which the United States have been compelled in defence of their liberty and independence, the horrors of a civil war, which may result in the severation of the union, and prostrate the only free government on earth. Deprecating such an event, and feeling it as a duty which we owe to ourselves, our government and our country, to express our high disapprobation and abhorrence of all measures calculated to produce such disastrous consequences, and our determination to support the general government in all constitutional and lawful measures, in bringing to justice all those who violate the constitution and the laws of the United States, and who, either directly or indirectly, adhere to or afford aid or comfort to our common enemy—We do, therefore resolve:

*First*—That the legislature of this commonwealth views with the utmost concern and disapprobation, every attempt to screen from just punishment any individual or individuals, however elevated by station, who may violate the constitution or laws of the United States, or who may, directly or indirectly, adhere to or afford aid or comfort to the enemies of our beloved country.

*Second*—That we will to the utmost of our power, as a legislature or as individual members of society, support the general government in all lawful and constitutional measures to bring to justice infractors of the laws and constitution of the United States, and all abettors and aiders of the enemies thereof.

*Third*—That the governor be directed to transmit a copy of the foregoing preamble and resolutions to the president of the United States, with a request that he will lay the same before congress.

## Events of the War.

### MISCELLANEOUS.

VIGILANCE. The following directions from the department of state, to the collectors of the customs, immediately strikes at a very considerable *"trade"* that we believe has latterly been carried on; and which, from the reduction of duties on prize goods, would doubtless have grown into great importance. This will add fresh fuel to the clamors of *smugglers*, as it closes, we hope, the chief door that the embargo bill left open.

*Department of State, January* 21, 1814.

SIR—The president directs, that in future you issue no commissions to private armed vessels, unless they have a complement of at least twenty officers and men, and an armament in proportion to the number of persons: Nor even then, without the

construction, equipment and preparation of the vessel shall manifestly indicate the properties and design of a cruizer. He directs, moreover, that you immediately revoke all commissions heretofore issued by you to those of less effective force. In case of application hereafter for commissions for vessels of this inferior class, you are to report the same to this department, with a statement of all the circumstances within your knowledge, that may lead to a probable estimate of the real objects of such small cruizers.

I remain, sir, respectfully, your most obedient servant,

JAMES MONROE.

*To the collector of the customs, Savannah.*

BALTIMORE VESSELS.—In page 330, we stated that a very large portion of the *honest* trade of the United States was carried on in the "wonderfully constructed Baltimore schooners," and repeated the suggestion, made many months ago, as to the employment of a number of them, or others of the like excellent model, to *destroy* the commerce of the enemy. In proof of what we said, we have made out a list of *Baltimore vessels*, an account of whose safe arrival to or from foreign ports, reached this city in the space of a month, ending on the 16th instant. The number of the voyages amount to *thirty four*—we *could* give all the names, and say where and when they arrived; but prefer to state the fact generally. Among them, we notice the names of *Pike, Perry, Harrison, Governor Shelby* and *Decatur*. Some of those vessels are of great size, measuring from 300 to 350 and 400 tons. In the space of time above stated, accounts of the capture of only *two* of our vessels were received. The force of these facts cannot be *duly* estimated except by recollecting how easily, the *Chesapeake* may be blockaded, and how closely it has been invested.

NATIONAL BANK.—*Outlines of the bill reported to congress, by the committee of ways and means.*—The bank is to be located within the district of Columbia; the capital not to exceed thirty millions, divided into shares of $100 each. The charter to continue for twenty years; the style of the corporation to be the "President and Directors of the *National Bank*."

The President of the United States to cause a subscription to be made to the stock as a part of the capital stock, to an amount not exceeding six millions, and the bank to loan the amount of subscription at six per cent. as long as the United States shall hold the stock; four millions to be reserved for the respective states, the governors of each of which to cause a subscription to be made to the said stock as part of the capital stock. The bank is to have twenty-five directors, five of whom to be appointed by the president of the United States. Directors in the mean time to be David Clarkson, Jb. Barker, John Wells, Charles Wright, George Davis, Isaac Lawrence, Wm. Gray, Thos. Hazard, jun. G. Bryan, C. Price, J. Serjeant, M. Eyre, J. Fisher, J. Peace, J. A. Buchanan, I. M'Kim, Robt. Oliver, J. Cox, J. M'Kinny, J. P. Van Ness, R. Cutts, R. Brent, J. Taylor, Walter Jones, and T. T. Gantt, who shall appoint the times and places for receiving subscriptions to the stock. None other than citizens of the United States, actually resident therein, can vote by proxy. The bank may loan to the government fifteen millions, exclusive of the money loaned to make the subscription on the part of the United States. The corporation may demand 7 per cent interest.

It is thought the bill not pass in its present shape.

Messrs. CLAY and RUSSELL were to have sailed from New-York, in the corvette *John Adams*, for Gottenburg, on Thursday last.

ARMISTICE.—It is now distinctly understood (says the *Democratic Press*) that gen. Winder came to the United States with proposals from general Prevost as to an armistice with respect to the Canadas. We believe the proposition was promptly declined.

GLORIOUS NEWS!!—The *Gazette* (says a London paper) contains despatches from sir George Prevost, confirming what we stated yesterday, respecting the repulse of the American force under gen. Hampton, consisting of *seven thousand* men, with ten field pieces, by *three hundred* Canadian fencibles and militia! an achievement which confers immortal honor on the Canadians!! This *timely check*, by less than a *twentieth part of his force*, appears to have entirely disconcerted the operations of general Hampton, who, we learn by a dispatch from sir George, dated the 4th ult. had entirely quitted the lower province, and was retiring to Four Corners.

NIAGARA FRONTIER.—To the editor of the Buffalo Gazette. *Williamsville, January 29th*, 1813. SIR, From the different statements which have appeared in the public prints, it appears to be the prevailing opinion that the scarcity of arms and ammunition at Buffalo, was a prime cause of the disaster which has befallen this part of the frontier. As those statements are calculated to poison and mislead the public mind, and to keep from the public the real causes of our present situation, by attaching the whole blame to government, or some officer whose duty it was to make the necessary provision for the defence of the frontier; when in fact the blame must and will rest alone on the disorganized and cowardly conduct in a great proportion of the troops who were on the frontier at that time, who deserted their ranks on the first appearance of the enemy.

I must beg leave to state the following facts.—On the morning of the 30th December, after having furnished to all who applied, both arms and ammunition, upwards of seven thousand rounds of musket cartridges remained in my possession, a great proportion of which was ordered to the Rock for distribution when required; but none being applied for, it was ordered back after the principal part of the troops had retreated, or rather deserted, from that place. Upwards of fifty stand of arms were on hand, and from 20 to 30 were daily repaired; in fact no one appeared who was not furnished. Upwards of three hundred stand (which had but a day or two before been furnished to the militia) were burnt in the different houses they had occupied as quarters, having deserted both the village and their arms, on the first assurance of the enemy having crossed.—At the house of Mr. Haddock, in which only one small company quartered, upwards of twenty of this brave company left their arms for the use of their friends, or any other persons who might wish to use them, they having deserted. Such, sir, are the men whose complaints are daily appearing in our newspapers, of government not affording them the common means of defence; when, if one half of the troops that were on duty the day previous to the action, had made use of half the means government had provided for them, the villages of Buffalo and Black Rock would still have been flourishing, and afforded sufficient shelter, not only for the troops who would have captured the invading foe, but for many distressed families, who are at this time living on the charity of their friends.

I would not be understood as wishing to censure the citizens of Buffalo and Black Rock, in the retreat on that morning, for many of them to my personal knowledge, fought while any probability remained of saving either of these villages.

I am, respectfully, sir, your humble servant,

JOHN G. CAMP, Ast. Dep. Q. M. Gen.

*Additional rules for the recruiting service.*

1st. A field officer or captain of each regiment will be charged with the recruiting thereof.

2d. The adjutant-general attached to the war department, will select these officers, and assign to each the state or states in which he shall recruit.

3d. The officers superintending the recruiting rendezvous of regiments will alone receive money from the paymaster of the army, and will be held responsible for its application.

4th. Each regimental superintendant will select his quarters, station his subordinate officers at different points near him, visit them often, supply them with money, and by other means quicken and invigorate the service. His own quarters will be permanently fixed, but the subordinate stations will be moved at his discretion, and always when the recruiting service begins to flag. His quarters will also be the regimental recruiting rendezvous, where recruits will be inspected, clothed, armed, and equipped and put upon drill.

5th. So soon as the regimental recruiting rendezvous is fixed, the superintending officer will give notice to the adjutant and inspector-general's office, to the paymaster of the army, to the contractor of the district, and to the nearest commissary of purchases, to the end that supplies of money, clothing, &c. be promptly and regularly furnished.

6th. Reports will be made monthly to the adjutant and inspector-general's office, of the progress in recruiting, by the superintending officers, and to the superintending officer weekly, by his subordinate officers. Monthly accounts and vouchers for bounties and premiums to recruits will be transmitted to the paymaster of the army; monthly accounts and vouchers for contingencies, to the accountant of the war department; and quarterly accounts and vouchers for clothing, arms, accoutrements, and camp equippage, to the superintendant general of military supplies at the city of Washington.

6th. No recruits under 18 nor above 40 years of age, nor any who are not able bodied and free from disease shall be enlisted. If any such be enlisted, the recruiting officer shall be charged with the amount of the bounty paid the recruit, which shall be deducted out of the pay of the said recruiting officer.

8th. When the recruits shall amount to one hundred rank and file, they shall be organized as a company, and put in march for the regiments, respectively. When a party of recruits shall be thus sent to their regiment the commanding officer shall transmit with them an account of pay, subsistence, and clothing, &c. agreeable to the forms prescribed and marked D and E.

9th. The recruits shall not be mustered until they join their regiments.

10th. Re-enlistments of men whose term of service is unexpired, can only take effect within the corps to which they belong.

11th. The old regulations shall govern in all cases not provided for by the new.

Adjutant and Inspector General's office,
*Washington, 10th February*, 1814.
By order,
J. B. WALBACH, *Adjutant-General.*
*Adjutant and Inspector General's office,*
Washington, 28d February, 1814.

GENERAL ORDERS.—The president of the United States has been pleased, by and with the advice and consent of the senate, to make the following appointments in the army of the United States, viz.

Anthony Butler, lieutenant-colonel of the 28th regiment of infantry, to be colonel of the 2d regiment of riflemen.

George Croghan, major in the 17th regiment infantry, lieutenant-colonel by brevet, to be lieutenant-colonel in the 2d regiment riflemen.

David Gwynne, captain in the 19th regiment of infantry, to be major in the 2d regiment of riflemen.

William H. Puthuff, captain in the 26th regiment of infantry, to be major in the 2d regt. riflemen.

William King, major in the 16th regiment of infantry, to be colonel in the 3d regiment of riflemen.

William S. Hamilton, major in the 10th regiment of infantry, to be lieutenant colonel of the 3d regiment of riflemen.

Walter H. Overton, captain in the 7th regiment of infantry, to be major in the 3d regiment of riflemen.

Joseph Selden, captain in the 2d regiment of light dragoons, to be major in the 3d regiment of riflemen.

James Gibson, captain in the regiment of light artillery, and colonel by brevet, to be colonel of the 4th regiment of riflemen.

Josiah Snelling, inspector general, major by brevet, and captain in the 4th regiment of infantry, to be lieutenant-colonel of the 4th rifle regiment.

Talbot Chambers, captain in the 5th regiment of infantry, to be major in the 4th rifle regiment.

Daniel Turney, of Ohio, to be regimental surgeon in the 2d rifle regiment.

*By order,* J. B. WALBACH.

ADJUTANT-GENERAL'S OFFICE,
*Head Quarters, Quebec, 8th Jan.* 1814.

GENERAL ORDERS.

His excellency the commander of the forces has received a report from lieut. gen. Drummond communicating the report of captain Stewart of the Royal Scots, of a spirited and judicious attack made by Lieut. Metcalf, in command of a party of militia, consisting of 25 men, at M'Crae's house, on the river Thames, by which a party of the enemy consisting of 3 officers and 35 soldiers, of the 26th U. States regiment, were surprised and taken prisoners. Four of the enemy were wounded, but no one of Lieut. Metcalf's party received any injury. The prisoners have been brought in.

(Signed) EDWARD BAYNES, Adj. Gen. N. A.

ADJUTANT-GENERAL'S OFFICE,
*Head-Quarters, Quebec, 8th Jan.* 1814.

GENERAL ORDERS,

His excellency the commander of the forces has the satisfaction of announcing to the troops, that he has received a dispatch from Lieut. Gen. Drummond, reporting the complete success of an attack that was made at day break, on the morning of the 30th Dec. on the enemy's position at Black Rock, where he was advantageously posted with upwards of 2000 men, and after a short but severe contest, the enemy was repulsed in the most gallant manner, and pursued in his retreat to Buffalo, where he attempted to make a stand, but on receiving a few rounds from the British pieces he abandoned that post also, and fled with precipitation to the 11 mile creek on Lake Erie, leaving 7 field pieces, and four schooners and sloops with a considerable quantity of ordnance and other valuable stores, which have fallen into our hands. The enemy suffered severely, but from the rapidity of his flight, 70 prisoners only are taken, among whom is Doctor or lieut. col. Chapin.

The corps under Maj. Gen. Riall consisted of detachments from the Royal Scots 8th (or King's) 41st, and the flank companies, of the 89th and 100th regiments, the whole not exceeding one thousand men.

The Lieut. General bestows the highest praise upon the undaunted courage, and patient submission of the troops, in contempt of the inclemency of the

weather, and the hardships to which they were exposed.

No British officer has fallen on this occasion; lieut. col. Ogilvie, 8th (or king's) and capt. Fawcett, 100th grenadiers, were wounded, and it is supposed our loss does not exceed 25 killed, and 50 wounded.

Black Rock and Buffalo were burnt previous to their evacuation by our troops, together with all the public buildings and the four vessels. A considerable quantity of stores having been sent away before the conflagration.

EDWARD BAYNES, Adj. Gen. N. A.

ADJUTANT-GENERAL'S OFFICE,
*Head-quarters, Quebec, 9th Jan.* 1814.

GENERAL ORDERS.—His excellency the governor in chief and commander of the forces, has received from col. sir Sidney Beckwith, a report from captain Barker, of the frontier light infantry, stating the complete success of an expedition committed to the charge of that officer, against the enemy's post and depots at Derby, in the state of Vermont, which was taken possession of at day-break on the 17th Dec.—An extensive barracks for 1200 men, lately erected, was destroyed, together with the stables and store houses; and a considerable quantity of valuable military stores, have been brought away.

Capt. Barker mentions capts. Curtis and Taplin; lieuts. Messa and Rodwell, and ensign Boyntan, of the township battalions of militia, as having been most active with the volunteers of the militia, in the execution of this judicious and spirited enterprise.

EDWARD BAYNES, Adj. Gen. N. A.

## CANADIAN LEGISLATURE.

*January* 13, 1814.—This day a session of the legislature commenced, when his excellency governor Prevost, addressed them in a speech, from which the following paragraphs are extracted:

"In turning our eyes to our shores, we have abundant cause for gratitude to the Supreme Giver of all good, for the termination of the late campaign in a manner so glorious to the British arms, and so disastrous to those of the enemy.

"The defeat sustained by him on the Chateaugaye, where a handful of brave Canadians, repelled a powerful division of his army, and the brilliant victory obtained by a small corps of observation on the banks of the St. Lawrence, over the formidable armament commanded by major-general Wilkinson, have at the same time nobly upheld the honor of his majesty's arms, and effectually disconcerted all the plans of the enemy for the invasion of this Province.

It is also matter of further and sincere gratulation, that, notwithstanding the various events of the last summer, by which a footing was gained by the enemy in the upper province, they have since been compelled to abandon the greater part of it, and that the theatre of war has been transferred into their own territory, where Niagara their strongest fortress and the important posts of Black Rock and Buffalo have lately been wrested from them by British valor and enterprize.

In reviewing these events I cannot but contemplate with pride and satisfaction, the zealous discharge of duty which I have witnessed as well in the militia as in all classes of his majesty's subjects in this province, and which I consider the surest indication of their loyalty to their sovereign and of their determination to defend to the last extremity, this valuable portion of the dominions.

I shall direct to be laid before you, a statement of the provincial revenue of the crown, and of the expenditure of the last twelve months.

One of the measures adopted by you during the last session for supplying the exigencies of the public service has only lately come into operation, and as it promises to become a highly productive source of revenue, I confidently rely upon your liberality for such appropriations for the defence of the province as the nature of the contest in which we are engaged and the circumstances of times may require.

Notwithstanding the present favorable aspect of our affairs, and the security in which the province is now placed, from the discomfiture of the enemy's late attempt to invade it, we must still be prepared to meet with firmness, and to repel with vigor, whatever measures his presumption may again dictate for the accomplishment of his avowed object. I trust therefore, to your wisdom and vigilance to suggest, whatever may be necessary for this purpose, and to your loyalty and patriotism to submit to whatever further sacrifices the war may require, assuring you that his majesty's government, not unmindful of the exertions the province has hitherto made in its defence, is using every possible effort, consistent with the important demands upon it for other services, to strengthen and increase the military establishment under my command.

"Deeply sensible, that the situation in which I am placed, is as arduous and difficult as it is important—I am, notwithstanding, cheered and animated in the discharge of its duties, by the conviction that I shall always meet with your support, in maintaining the honor, and promoting the service of my sovereign. To forward the prosperity, and to preserve the integrity of this province, are objects of which I shall never lose sight, and confidently relying on your cordial assistance for their attainment, it will be my great ambition to be able faithfully to represent to his royal highness the prince regent, the loyalty, zeal, unanimity of his majesty's Canadian subjects, and to carry with me, whenever I shall return into the royal presence, the good opinion and the affection of the people of this province."

## MILITARY.

A company of Rangers, 110 hardy fellows, passed through *Urbana*, O. Feb. 7, on their way to *Detroit*. Col. *Croghan* has also gone on to that post.

*Jackson's victory.*—The following very interesting intelligence was received at this office, (says the *Georgia Journal*) by express from fort Hawkins, on Saturday night last. In a letter to gov. Early on this occasion, general Pinkney thus notices the gallant conduct of general Jackson and his brave associates:

"This new instance of the intelligent bravery and good conduct of this officer, and of the courage and patriotism of the volunteers under his command, is highly gratifying, and does them infinite honor. It is very probable this diversion prevented the Oakfuskees from uniting with those collected at Hosith-le-wau-le in their attack on general Floyd; and we were much favored by its having so occurred, that what was intended as a general diversion was timed with as much accuracy as if the most recent preconcerted dispositions had been made."

A late *Batavia* paper says that about 2500 men of general *Hall's* division had rendezvoused at that place and marched to the frontier. The whole force on the Niagara lines, well provided with arms, &c, is said to exceed 4000 effective men.

*Plattsburg, February* 12, 1814.

THE ARMY. During the last week, immense quantities of military stores, &c. have arrived at this place from French Mills. It is understood that several regiments have marched for Sackett's Harbor, and that the main body of the army will be located at this place, after the public property shall have been removed from French Mills.

The "Virginia regiment," respecting which such

exaggerated statements have been published, consisted, when it joined the army last fall, of about 550—instead of 800. And now consists of about 400. The statement, therefore, of 600 having been swept away by a destructive malady, &c. is nearly 450 from the truth.

*Copy of a letter from general Jackson, of the Tennessee volunteers to general Pinckney.*

Head-Quarters, Fort Strother, Jan. 29.

*Maj. Gen. Thos. Pinckney,*

Sir, I had the honor of informing you in a letter of the 31st ult. forwarded by Mr. M'Candles [express] of an excursion I contemplated making still further into the enemy's country, with the new raised volunteers from Tennessee. I had ordered those troops to form a junction with me on the 10th inst. but they did not arrive until the 14th. Their number, including officers, was about 800; and on the 15th I marched them across the river to graze their horses. On the next day I followed with the remainder of my force, consisting of the artillery company, with one 6 pounder, one company of infantry of 48 men, two companies of spies, commanded by captains Gordon and Russel, of about 30 men each, and a company of volunteer officers, headed by general Coffee, who had been abandoned by his men, and who still remained in the field awaiting the order of the government; making my force exclusive of indians, 930.

The motives which influenced me to penetrate still further into the enemy's country, with this force, were many and urgent. The term of service of the new raised volunteers was short, and a considerable part of it was expired; they were expensive to the government, and were full of ardor to meet the enemy. The ill effects of keeping soldiers of this description long stationary and idle, I had been made to feel but too sensible already—other causes concurred to make such a movement not only justifiable but absolutely necessary. I had received a letter from captain M'Alpin of the 5th instant, who commanded at Fort Armstrong in the absence of colonel Snodgrass, informing me that 14 or 15 towns of the enemy, situated on the waters of the Tallapoosa, were about uniting their forces and attacking that place, which had been left in a very feeble state of defence. You had in your letter of the 24th ult. informed me that general Floyd was about to make a movement to the Tallapoosa near its junction with the Coosee; and in the same letter had recommended temporary excursions against such of the enemy's towns or settlements as might be within striking distance, as well to prevent my men from becoming discontented as to harrass the enemy. Your ideas corresponded exactly with my own, and I was happy in the opportunity of keeping my men engaged, distressing the enemy, and at the same time making a diversion to facilitate the operations of general Floyd.

Determined by these and other considerations, I took up the line of march on the 17th inst. and on the night of the 18th encamped at Talledega Fort, where I was joined by between 2 and 300 friendly indians: 65 of whom were Cherokees, the balance Creeks. Here I received your letter of the 9th inst. stating that general Floyd was expected to make a movement from Cowetau the next day, and that in 18 days thereafter he would establish a firm position at Tuckabotchee; and also a letter from colonel Snodgrass, who had returned to Port Armstrong, informing me that an attack was intended soon to be made on that Port by 900 of the enemy. If I could have hesitated before, I could now hesitate no longer. I resolved to lose no time in meeting this force, which was understood to have been collected from New Yorcau, Oakfuskee and Ufauley towns, and were concentrated in the bend of the Tallapoosa, near the mouth of the creek called Emucfau, on an island below New Yorcau.

On the morning of the 29th your letter of the 10th inst. forwarded by Mr. M'Candles, reached me at the Hillabee Creek, and that night I encamped at Entochapco, a small Hillabee village about twelve miles from Emuckfau. Here I began to perceive very plainly how little knowledge my spies had of the country, of the situation of the enemy, or of the distance I was from them. The insubordination of the new trops and the want of skill in most of their officers; also became more and more apparent. But their ardor to meet the enemy was not diminished; and I had a sure reliance upon the guards; and a company of old volunteer officers, and upon the spies, in all about 125. My wishes and my duty remained united, and I was determined to effect, if possible, the objects for which the excursion had been principally undertaken.

On the morning of the 21st, I marched from Enotachopco, as direct as I could for the bend of the Tallapoosa, and about 2 o'clock, P. M. my spies having discovered two of the enemy, endeavored to catch them but failed. In the evening I fell in upon a large trail, which led to a new road, much beaten and lately travelled. Knowing that I must have arrived within the neighborhood of a strong force, and it being late in the day, I determined to encamp, and reconnoitre the country in the night. I chose the best scite the country would admit, encamped in a hollow square, sent out my spies and picquets, doubled my centinels and made the necessary arrangements before dark, for a night attack. About 10 o'clock at night, one of the pickets fired at three of the enemy and killed one, but he was not found until the next day. At 11 o'clock, the spies whom I had sent out returned with the information, that there were a large encampment of indians at the distance of about three miles, who from their whooping and dancing seemed to be apprized of our approach. One of these spies, an Indian in whom I had great confidence, assured me that they were carrying off their women and children, and that the wrriors would either make their escape or attack me before day. Being prepared at all points, nothing remained to be done but await their approach, if they meditated an attack, or to be in readiness, if they did not, to pursue and attack them at day light. While we were in this state of readiness, the enemy about 6 o'clock in the morning commenced a vigorous attack on my left flank, which was vigorously met; the action continued to rage on my left flank, and on the left of my rear for about half an hour. The brave general Coffee, with colonel Sittler, the adjutant-general, and colonel Carroll, the inspector-general, the moment the firing commenced, mounted their horses and repaired to the line, encouraging and animating the men to the performance of their duty. So soon as it became light enough to pursue, the left wing having sustained the heat of the action and being somewhat weakened, was reinforced by captain Ferrill's company of infantry, and was ordered and led on to the charge by general Coffee, who was well supported by colonel Higgins and the and the inspector-general, and by all the officers and privates who composed that line. The enemy was completely routed at every point, and the friendly indians joining in the pursuit, they were chased about two miles with great slaughter.

The chase being over, I immediately detached general Coffee with 400 men and all the indian force to burn their encampment; but it was said by some to be fortified. I ordered him, in that event, not to

attack it, until the artillery could be sent forward to reduce it. On viewing the encampment and its strength, the general thought it most prudent to return to my encampment and guard the artillery thither. The wisdom of this step was soon discovered—in half an hour after his return to camp, a considerable force of the enemy made its appearance on my right flank, and commenced a brisk fire on a party of men who had been on picket guard the night before, and were then in search of the indians they had fired upon, some of whom they believe had been killed. General Coffee immediately requested me to let him take 200 men and turn their left flank, which I accordingly ordered, but, through some mistake, which I did not then observe, not more than fifty-four followed him, among whom were the old volunteer officers. With these, however, he immediately commenced an attack on the left flank of the enemy; at which time I ordered 200 of the friendly indians to fall in upon the right flank of the enemy, and co-operate with the general. This order was promptly obeyed, and in the moment of its execution what I expected was realized. The enemy had intended the attack on the right as a feint, and, expecting to direct all my attention thither, meant to attack me again and with their main force on the left flank, which they had hoped to find weakened and in disorder—they were disappointed. I had ordered the left flank to remain firm to its place, and the moment the alarm gun was heard in that quarter, I repaired thither, and ordered captain Ferrill, part of my reserve, to support it. The whole line met the approach of the enemy with astonishing intrepidity, and having given a few fires, they forthwith charged with great vigor—The effect was immediate and inevitable. The enemy fled with precipitation, and were pursued to a considerable distance, by the left flank and the friendly indians, with a galling and destructive fire. Colonel Carroll, who ordered the charge, led on the pursuit, and colonel Higgins and his regiment again distinguished themselves.

In the mean time general Coffee was contending with a superior force of the enemy. The indians who I had ordered to his support, and who had set out for the purpose, hearing the firing on the left had returned to that quarter, and when the enemy were routed there entered into the chase. That being now over, I forthwith ordered Jim Fife, who was one of the principal commanders of the friendly Creeks, with one hundred of his warriors, to execute my first order; so soon as he reached general Coffee, the charge was made and the enemy routed: they were pursued about three miles, and forty-five of them slain, who were found. General Coffee was wounded in the body, and his aid-de-camp, A. Donaldson, killed, together with three others. Having brought in and buried the dead, and dressed the wounded, I ordered my camp to be fortified, to be the better prepared to repel any attack which might be made in the night; determined to commence a return march to fort Strother the following day. Many causes concurred to make such a measure necessary, as I had not set out prepared or with a view to make a permanent establishment, I considered it worse than useless to advance and destroy an empty encampment.

I had indeed, hoped to have met the enemy there, but having met and beaten them a little sooner, I did not think it necessary or prudent to proceed any further: not necessary, because I had accomplished all I could expect to effect by marching to their encampment; and because if it was proper to contend with and weaken their forces still farther, this object would be more certainly attained by commencing a return, which, having to them the appearance of a retreat, would inspire them to pursue me. Not prudent, because of the number of my wounded, of the reinforcements from below, which the enemy might be expected to receive, of the starving condition of my horses, they having had neither corn nor cane for two days and nights; of the scarcity of supplies for my men, the indians who joined me at Talledaga having drawn none, and being wholly destitute; and because, if the enemy pursued me, as it was likely they would, the diversion in favor of general Floyd would be the more complete and effectual. Influenced by these considerations, I commenced my return march at half after ten on the 23d, and was fortunate enough to reach Enotachopco before night, having passed without interruption a dangerous defile, occasioned by a hurricane. I again fortified my camp, and having another defile to pass in the morning, across a deep creek, and between two hills, which I had viewed with attention as I passed on, and where I expected I might be attacked, I determined to pass it at another point, and gave directions to my guide and fatigue men accordingly. My expectation of an attack in the morning was increased by the signs of the night, and with it my caution. Before I moved the wounded from the interior of my camp, I had my front and rear guards formed, as well as my right and left columns, and moved off my centre in regular order, leading down a handsome ridge to Enotachopco creek, at a point where it was clear of reed, except immediately on its margin. I had previously issued a general order, pointing out the manner in which the men should be formed in the event of an attack on the front or rear, or on the flanks, and had particularly cautioned the officers to halt and form accordingly, the instant the word should be given.

The front guard had crossed with part of the flank columns, the wounded were over, and the artillery in the act of entering the creek, when an alarm gun was heard in the rear. I heard it without surprise, and even with pleasure, calculating with the utmost confidence on the firmness of my troops, from the manner in which I had seen them act on the 22d. I had placed colonel Carroll at the head of the centre column of the rear guard: its right column was commanded by colonel Perkins, and its left by colonel Stump. Having chosen the ground, I expected there to have entirely cut off the enemy by wheeling the right and left columns on their pivots, recrossing the creek above and below, and falling in upon their flanks and rear. But to my astonishment and mortification, when the word was given by col. Carrol to halt and form, and a few guns had been fired, I beheld the right and left columns of the rear guard precipitately give way. This shameful retreat was disastrous in the extreme: it drew along with it the greater part of the centre column, leaving not more than twenty-five men, who being formed by colonel Carrol, maintained their ground as long as it was possible to maintain it, and it brought consternation and confusion into the centre of the army, a consternation which was not easily removed, and a confusion which could not soon be restored to order. There was then left to repulse the enemy, the few who remained of the rear guard, the artillery company and captain Russell's company of spies. They however realized and exceeded my highest expectations. Lieutenant Armstrong, who commanded the artillery company in the absence of captain Deadrick, (confined by sickness) ordered them to form and advanced to the top of the hill, whilst he and a few others dragged up the six pounder. Never was more bravery displayed than on this occasion. Amidst the most galling fire from the enemy, more than ten times their number, they ascended the hill and

maintained their position until their piece was hauled up, when, having levelled it, they poured upon the enemy a fire of grape, reloaded and fired again, charged and repulsed them.

The most deliberate bravery was displayed by Constantine Perkins and Craven Jackson of the artillery, acting as gunners. In the hurry of the moment, in separating the gun from the limbers, the rammer and picker of the cannon were left tied to the limber: No sooner was this discovered, than Jackson, amidst the galling fire of the enemy, pulled out the ramrod of his musket and used it as a picker; primed with a cartridge and fired the cannon. Perkins having pulled off his bayonet, used his musket as a rammer, drove down the cartridge; and Jackson using his former plan, again discharged her. The brave lieut. Armstrong, just after the first fire of the cannon, with capt. Hamilton, of E. Tennessee, Bradford and M'Goyock, all fell, the lieutenant exclaiming as he lay, *"my brave fellows, some of you may fall, but you must save the cannon."* About this time, a number crossed the creek and entered into the chace. The brave capt. Gordon of the spies, who had rushed from the front, endeavored to turn the left flank of the enemy, in which he partially succeeded, and col. Carroll, col. Higgins, and capts. Elliot and Pipkins pursued the enemy for more than two miles, who fled in consternation throwing away their packs and leaving 26 of their warriors dead on the field. This last defeat was decisive, and we were no more disturbed by their yells. I should do injustice to my feelings if I omitted to mention that the venerable judge Cocke, at the age of 65, entered into the engagement, continued the pursuit of the enemy with youthful ardor, and saved the life of a fellow soldier by killing his savage antagonist.

Our loss in this affair was —— killed and wounded; among the former was the brave capt. Hamilton, from East Tennessee, who had with his aged father and two others of his company, after the period of his engagement had expired, volunteered his services for this excursion, and attached himself to the artillery company. No man ever fought more bravely or died more gloriously; and by his side fell with equal bravery and glory, Bird Evans, of the same company. Captain Quarles, who commanded the centre column of the rear guard, preferring death to the abandonment of his post, having taken a firm stand in which he was followed by 25 of his men, received a wound in his head of which he has since died.

In these several engagements our loss was 20 killed and 75 wounded, 4 of whom have since died.—The loss of the enemy cannot be accurately ascertained; 189 of their warriors were found dead; but this must fall considerably short of the number really killed. Their wounded can only be guessed at.

Had it not been for the unfortunate retreat of the rear guard in the affair of the 24th inst. I think I could safely have said that no army of militia ever acted with more cool and deliberate bravery, undisciplined and inexperinced as they were, their conduct in the several engagements of the 22d could not have been surpassed by regulars. No men ever met the approach of an enemy with more intrepidity, or repulsed them with more energy. On the 24th, after the retreat of the rear guard, they seemed to have lost all their collectedness, and were more difficult to be restored to order than any troops I have ever seen. But this was no doubt owing in a great measure or altogether to that very retreat, and ought rather to be ascribed to the want of conduct in many of their officers than to any cowardice in the men, who on every occasion have manifested a willingness to perform their duty so far as they knew it.

All the effects which were designed to be produced by this excursion, it is believed have been produced. If an attack was meditated against fort Armstrong, that has been prevented. If general Floyd is operating on the east side of the Tallapoosee, as I suppose him to be, a most fortunate diversion has been made in his favor. The number of the enemy has been diminished, and the confidence they may have derived from the delays I have been made to experience, has been destroyed. Discontent has been kept out of my army, while the troops who would have been exposed to it have been beneficially employed. The enemy's country has been explored, and a road cut to the point where their force will probably be concentrated when they shall be driven from the country below. But in a report of this kind, and to you who will immediately perceive them, it is not necessary to state the happy consequences which may be expected to result from this excursion. Unless I am greatly mistaken, it will be found to have hastened the termination of the Creek war, more than any measure I could have taken with the troops under my command.

I am, sir, with sentiments of high respect your obedient servant,

ANDREW JACKSON, maj. gen.

## NAVAL.

The *President* frigate, com. *Rodgers*, has arrived at *New-York*, after a cruize of 70 days. We have not yet received particulars; but it is said she captured only three vessels.

A court-martial was lately held at Portsmouth, N. H. for the trial of William Harper, sailing-master in the United States navy, charged with cowardice in the action between the Enterprize and Boxer. He was acquitted in the most honorable manner. Captain *Hull* was president.

A *New-York* paper says—The extracts from London papers and Lloyd's lists, received by the Ann Alexander, furnish us for the last six weeks, up to the 24th of December, with the capture of ninety-six British merchant vessels, by American and French public and private armed vessels.

Five vessels arrived at Philadelphia from foreign places on the 21st. One was a Swede, from Stockholm, and *three* of the others belonged to *Baltimore*.

*The Adams.*—A vessel arrived at Salem on the 17th inst. that was boarded from the United States frigate *Adams*, capt. *Morris*, 21 days before, then 14 days out, off Bermuda. Captain M. sent letters to the secretary of the navy by this vessel.

The famous privateer *Decatur* has returned to Charleston, S. C. after a cruise of *eighty days* without making a single capture.

Commodore *Chauncy*, with 100 seamen, left New-York, on the 15th inst. for *Sackett's Harbor*. For which place, also, a number of long 32-pounders were forwarded a few days before.

The report that the British are building war vessels on lake *Huron*, is contradicted. *Michilimakinac* is yet held by the British. *Dickson*, the famous scalp dealer, is among the distant indians to persuade them to join the British armies near *Montreal*. All snug at *Detroit*.

Extract of a letter from Nathaniel Shaler, commander of the private armed schooner Gov. Tomkins, to his agent in New-York—dated

"*At Sea, Jan* 1, 1813.

"Two days after dispatching the Neveid, I took a whaleman from London bound for the South Seas; but she being of no value, I took out such stores, &c. I could stow, and being much lumbered with prisoners and baggage, I put them on board, and ordered her for Falmouth. The chasing of this ship had taken me some distance from my ground, and ow-

to calms, I could not regain it until the 25th ult. when at sunrise, three ships were discovered ahead. We made all sail in chase. The wind being light, we came slowly up with them. On a nearer approach, they proved to be two ships and a brig.—One of the ships had all the appearance of a large transport, and from their manœuvres, to have concerted measures for mutual defence. The large ship appeared to be prepared to take the bulk of an action. Boats were seen passing to and from her. She had boarding nettings almost up to her tops, with her topmast studding sail booms out, and sails at their ends, ready for running, as if prepared for a running fight. Her ports appeared to be painted, and she had something on deck resembling a merchantman's boat. After all this, what the devil do you think she was? Why have a little patience, and I will tell you. At 3 P. M. a sudden squall struck us from the northward, and the ship not having yet received, before I could get our light sails in, and almost before I could turn round, I was under the guns, (not of a transport) but of a large *frigate*!—and not more than a quarter of a mile from her.

"I immediately hauled down English colors, which I previously had up, set three American ensigns, trimmed our sails by the wind, and commenced a brisk fire from our little battery; but this was returned with woful interest. Her first broadside killed two men and wounded six others (two of whom severely, and one since dead)—it also blew up one of my salt-boxes with two 9-pound cartridges; this communicated fire to a number of pistols and three *tube boxes* which were lying on the companion way, all of which exploded, and some of the tubes penetrated through a crevice under the companion leaf, and found their way to the cabin floor; but that being wet, and the fire screen being up, no further accident took place. This, together with the fire from the frigate, I assure you, made warm work on the Tompkins' quarter deck; but thanks to her heels and the exertions of my brave officers and crew, I still have the command of her.

When the frigate opened her fire on me, it was about half past 3. I was then a little abaft her beam. To have attempted to tack in a hard squall, would, at least have exposed me to a raking fire; and, to have attempted it, and miss, would have been attended with the inevitable loss of the schooner.—I therefore thought it most prudent to take her fire on the tack on which I was, and this I was exposed to from the position I have mentioned, until I passed her bow; she all the while standing on with me, and almost as fast as ourselves—and such a tune as was played round my ears, I assure you, I never wish to hear again on the same key.

At four his shot began to fall short of us. At 4, 30, the wind dying away and the enemy still holding it, his ship began to reach us. We got out sweeps and turned all hands to. I also threw all the lumber from the deck, and about 2000 wt. of shot from the after hold. From about 5 P. M. all his shot fell short of us. At 5, 25, the enemy hove about, and I was glad to get so clear of one of the most quarrelsome companions that I ever met with.

After the first broadside from the frigate, not a shot struck the hull of the Tompkins, but the water was literally in a foam all around her.

The moment before the squall struck us, I told Mr. Farnum that she was too heavy for us, and he went forward with his glass to take another look; when the squall struck the schooner as if by magic, up with her, before we could get in our light sails.

My officers conducted themselves in way that would have done honor to a more permanent service. Mr. Farnum, 1st lieut. conducted himself with his usual vigor. Mr. Atcheson, sailing master, performed his part in the style of a brave and accomplished seaman. Messrs. Miller and Dodd, 2nd and 3d lieutenants, were not immediately under my eye, but the precision and promptitude with which all my orders were executed is sufficient proof that they are to be relied on. Mr. Thomas, boatswain, and Mr. Casewell, master's mate, were particularly active and deserve encouragement.

The name of one of my poor fellows who was killed ought to be registered in the book of fame, and remembered with reverence as long as bravery is considered a virtue; he was a black man by the name of *John Johnson*; a 24 lb. shot struck him in the hip and took away all the lower part of his body; in this state the poor brave fellow lay on the deck, and several times exclaimed to his shipmates, "*fire away my boy, no haul a color down.*" The other was also a black man, by the name of *John Davis*, and was struck in much the same way: he fell near me, and several times requested to be thrown overboard, saying, he was only in the way of others.

While America has such tars, she has little to fear from the tyrants of the ocean.

From the circumstance of her shot being 24's, which I assure you is the case, and as we have felt and weighed them, I am of opinion that it was the Laurel, a new frigate which I had information of. A gentleman which I took, told me she was in the fleet; that she was built and manned for the purpose to cope with our frigates; that if she got sight of me she would certainly take me, as she was the fastest sailer he ever saw.

Enclosed I send you a list of the killed and wounded; in every thing else we are in good order and high spirits.

*Killed*—John Johnson, John Davis.

*Wounded*—John O'Farnum, 1st lieut. slightly; Thomas Davis, since dead; Thomas Loveland, severely; James Doughty, John Parker, John Sunaholm, all slightly and doing well.

## American Prizes.

LIST—CONTINUED FROM PAGE 414.

"The winds and seas are Britain's wide domain,
"And not a sail, but by *permission* spreads!"
*British Naval Register.*

792, 793, 794, 795, 796, 797, 798, 799, 800. Nine vessels captured by the Comet, of Baltimore, divested of their valuable articles, and sunk. The Comet is stated to have a handsome amount in *cash* and rich goods on board. Besides the above, she captured and manned four prizes—one of which has arrived. She had a terrible battle with the ship Hibernia of 800 tons, 22 guns and a large complement of men, but was beaten off. The fight lasted about 8 hours. The great heighth and strength of the ship probably saved her. The privateer had 3 men killed and 16 wounded. The ship 8 killed and 13 wounded. The Comet put into Porto Rico to refit, and the Hibernia has arrived at St. Thomas'—both much injured.

801. Brig Tullock, of 200 tons, 10 guns, from Shields, for Martinique, with an assorted cargo of hardware, crates, tiles, &c.—valuable—sent into Gloucester by the Fox of Salem.

802. The rich ship Minerva, with a cargo of dry goods, hardware, &c. from Bristol (E.) for the West Indies, captured by the Fox of Salem, and sent into Portsmouth, N. H.

803. Ship ———, a whaleman, bound to the South Sea, captured by the Governor Tompkins, divested, &c. and given up to relieve the prisoners.

804. Brig Isabella, captured by the U. S. brig Rattlesnake, and sent into Wilmington, N. C.

805. Sloop ——, captured the General Stark, and was cast away on Cape Cod.

806. Schooner Harmony, of Yarmouth, (N. S.) with a few puncheons of rum, captured by the privateer boat Terrible, of Salem, and sent into an eastern port.

807. Boat Humbird, with a quantity of crockery, rum, sugar, &c. taken by the boat Surprize, and sent into Machias.

## Proceedings of Congress.

HOUSE OF REPRESENTATIVES.

*Thursday, February* 17.—The loan bill was further discussed. Mr. Jackson, of Va. spoke three hours in favor of the bill, and Mr. Shipherd, of N. Y. commenced a speech against it.—Adjourned.

*Friday, February* 18.—Mr. Richardson, of Mass. laid upon the table the following resolution:

*Resolved*, That the committee on naval affairs be directed to enquire into the expediency of providing by law for the appointment of admirals in the navy of the United States.

The consideration of the loan bill was resumed. Mr. Shipherd finished his speech. He was followed by Mr. Sherwood, of N. Y. on the same side. Mr. Grundy spoke an hour in favor of the bill, and Mr. Gaston, of N. C. commenced a discussion against it. Adjourned.

[The debate, (not on the loan bill, but suffered while the bill was before a committee of the whole of the house of representatives,) has had an unlimited range. Every question of politics that has agitated the United States for fifteen or twenty years past, and every one that may be expected for twenty years to come, appears to have been embodied in the speeches of the members; some of whom, it is said, have spoken three hours, without mentioning the bill at all. It is accurately calculated, and the fact is so, that these speeches cost the good people of the United States at the rate of *two hundred and fifty dollars* an hour; and the question is asked "*were they worth the cost?*"]

*Saturday, February* 19.—Mr. Roberts, of Pa. presented a petition of John G. Cunow, acting in behalf of the missionary concerns of the society of the united brethren commonly called Moravians, praying compensation for depredations committed on the property of the indians who had incorporated themselves into their society by the army commanded by general Harrison at the Moravian towns in upper Canada.

Mr. Roberts moved to refer the petition to a select committee.

Mr. Desha said that to his knowledge several indians of the tribe alluded to had been killed in arms against the United States. It was true the town had been destroyed, and, as he thought, properly. They had always been hostile. Mr. Roberts observed that he knew nothing of the merits of the case. Mr. M'Kim, after passing a high encomium on the United Brethren, as a generally most inoffensive and well disposed people, said the property was within the settlements of the enemy, and destroyed according to the usages of war. He said he had not yet heard that any of the proprietors of *our* villages destroyed had petitioned the British parliament for remuneration. It was probable a mutual indemnity might be provided. The petition was referred to a select committee.

Mr. Taylor, of N. Y. from the committee of ways and means, reported the bill to incorporate the stockholders of the national bank.

[This bill proposes the establishment of a bank with a capital of thirty millions of dollars, in the city of Washington, and names a number of persons, to act as directors until others are appointed.]

The bill was twice read and committed.

Mr. Lowndes, of S. C. reported a bill to authorise the president to cause to be built or purchased the vessels therein described.

[The bill contemplates the employment or building of any number of vessels, not exceeding twenty, carrying not less than 16, nor more than 22 guns, if in his opinion the public service shall require it.]

This bill was also twice read and committed.

The house again in committee of the whole took up the loan bill. Mr. Gaston concluded his speech. He was followed by Mr. M'Lean, of Ohio. The question was then taken and the blank filled up with twenty-five millions. The same was reported to the house.

*Monday, February* 21.—Mr. Eppes, of Va. from the committee of ways and means, reported the following bills: A bill, making appropriations for the support of government for the year 1814; a bill making appropriations for the support of the military establishment for the year 1814; and a bill making appropriations for the support of the navy for 1814; which bills were twice read and committed.

The house took up the report of the committee of the whole on the loan bill—which on motion was *recommitted*, with a view to allow *further discussion*. Mr. Yancey then spoke in favor of the bill and Mr. Grosvenor against it.

*Tuesday, February* 23.—The engrossed bill to authorise the issuing of treasury notes for the year 1814, was passed as follows:

YEAS.—Messrs. Alexander, Alston, Archer, Avery, Barnett, Beall, Bradley, Brown, Burwell, Butler, Caldwell, Calhoun, Chappell, Comstock, Conard, Crawford, Culpepper, Cuthbert, Davis, (of Penn.) Denoyelles, Desha, Duvall, Earle, Eppes, Evans, Farrow, Fisk, (of N. Y.) Forney, Forsythe, Franklin, Goldsborough, Goodwyn, Gourdin, Griffin, Grundy, Hall, Harris, Hasbrouck, Hawes, Ingham, Irving, (of N. Y.) Jackson, (of Virg.) Johnson, (of Virg.) Kennedy, Kent, (of Md.) Kerr, Kilbourn, Lefferts, Lowndes, Lyle, Macon, M'Coy, M'Kee, M'Kim, Montgomery, Moore, Newton, Ormsby, Pickins, Piper, Pleasants, Rea, (of Penn.) Rhea, (of Ten.) Rich, Richardson, Roan, Roberts, Robertson, Sage, Sevier, Seybert, Skinner, Smith, (of Penn.) Tannehill, Taylor, Troup, Udree, Ward, (of N. J.) Williams, Wilson, (of Penn.) Wood, Wright, Yancey—83.

NAYS.—Messrs. Bigelow, Boyd, Bradbury, Breckenridge, Brigham, Caperton, Champion, Cilley, Cooper, Cox, Davenport, Davis, (of Mass.) Dewey, Ely, Geddes, Grosvenor, Hanson, Howell, Hufty, Jackson, (of R. I.) Kent, (of N. Y.) Law, Lewis, Lovett, Miller, Moffit, Mosely, Markell, Pearson, Pickering, Post, John Reed, Sheffey, Sherwood, Shipherd, Smith, (of N. Y.) Stanford, Stockton, Sturges, Taggart, Tallmadge, Thompson, Vose, Ward, (of Mass.) White, Wilcox, Wilson, (of Mass.)—48.

The house in committee of the whole on the loan bill. Mr. Grosvenor finished his speech against the bill, the war, &c. Mr. Cuthbert, of Geo. made his [*first*] speech in favor of the bill, with much energy and spirit. Mr. *Forsyth* took the floor on the same side, but before he had finished the committee rose and the house adjourned.

*Wednesday, February* 23.—After some minor business, the house in committee of the whole, took up the loan bill. Mr. Forsyth concluded his speech, and was followed by Mr. Robertson on the same side. Mr. Cheves intimated that he proposed next to take the floor.

## THE CHRONICLE.

Among the captures lately made by the French privateers who have become very numerous and active *in consequence of our successes at sea*, a British vessel has been brought into Ajaccio, captured on the coast of *Africa*, with a cargo of *ancient statues*, &c. valued at 550,000 francs.

The senators and representatives from New Castle county, in the state of Delaware, have unanimously seceded from the legislature of that state for reasons which they promise to make public hereafter.

*Fire.*—One of the extensive workshops belonging to the Penitentiary, adjacent to *Baltimore*, was consumed by fire, on Wednesday evening last. By the prompt aid of the citizens, the other buildings were preserved. None of the criminals escaped. The fire commenced in the *oakum loft*. The frequency of the destruction of public buildings from *that* place of deposit, should teach those having charge of such institutions never to leave large quantities of the material in a body. I believe it is an accepted fact, that *oakum*, from greese or tallow mixed with it, is capable of *self-ignition*. I think I recollect to have read an account of some experiments made, several years ago, that demonstrated the truth of this principle. It would be well to republish it occasionally.

*Spain and England.* Spain being cleared of the French, has yet to expel the English. The Spanish newspapers freely speak of the barbarities and outrages of their "dear allies," in a manner that shews the press much freer than we expected it was. A *Cadiz* gazette of the 27th September, has a long article detailing the monstrous proceedings of the *British* on the people of *St. Sebastians*, after the fall of that place; ravishment, murder and conflagration was the order of the day. The churches were robbed, the "hosts" dashed on the ground and trod under foot, and the priests beaten. The place was destroyed, the author decidedly declares, because its former commerce had been injurious to the commerce of *Great Britain*; for the inhabitants had been remarkable for their adherence to "the cause of liberty." It is a tale of horror. The city was generally plundered—"neither the infant of ten years of age nor the matron of sixty was exempt from the brutal violence" of the English—"the woman who resisted paid the forfeit of her life"—"the houses were filled with dead bodies," and "numbers of the martyrs to virtue were burned to death."

*British revenue.*—An official account laid before the house of commons, states the amount of the net produce of the permanent taxes in Great Britain for the year ending the 25th of October, 1812, at 38,743,428*l.* 16*s.* 8 3 4*d*; and for the year ending the 25th of Oct. 1813, at 37,833,366*l.* 12*s.* 1 1-2*d*; being a deficiency of about 900,000*l.* The same accounts states the total amount of the net produce of the war taxes, for the year, ending the 25th January, 1812, at 21,822,532*l.* 14*s.* 10 1-4*d.* and for the year ending the 25th Oct. 1813, at 22,740,568*l.* 4*s.* 0 1-2*d*; being an increase to about the amount of the deficiency in the permanent taxes. Thus the net produce of the public revenue of Great Britain, for the year ending the 25th Oct. 1813, is 60,573,934*l.* 16*s* 2*d.*

FROM THE NEW-LONDON GAZETTE.

*The right to challenge.*—Some doubts seem to have existed, if considerable anxiety has not been excited in the public mind as to the right of commodore Decatur to challenge the Endymion and Statira to combat. Our friend, the benevolent editor of the Philadelphia Daily Advertiser, has not only indulged himself in harsh reproof of the commodore, but has lavished his commendation on sir Thomas Hardy for having declined the challenge, as deserving the applause of all good men. We have a respect for sir Thomas, that induces us to regret that he should not be deserving of this praise, for a course of conduct we feel assured cannot be approved by any gallant men. Sir Thomas Hardy, not only provoked the commodore's challenge, but on receiving it said, he should leave it to the acceptance of his captains.

We agree, however, with Mr. Poulson, that *this fighting a match* would be an unpleasant business; but we know there are a thousand gallant spirits in our little navy who not only like it, but are educated to believe that it is their unequivocal duty to seek such, and all other occasions to enhance the character of our flag, to increase our naval renown, and to secure to themselves the admiration and love of their countrymen. And we have no hesitation in admiting, that we believe they are in this respect properly taught.

We do not perceive much force in the objection, that men are thus brought into conflict, who if left to chance might never be opposed. We are a little cautious in admitting the operation of *any such power as chance*, and we can see no difference between a man's spending months in pursuit of an enemy in the hope to encounter his equal (with the probability of meeting and contending with a superior) either as it affects the exposure of his own life, or the lives of his officers and men, and his meeting an opportunity where it is certain he will be only *equally* exposed.

Men who have spent their lives in qualifying themselves to bear arms in their country's service, in consideration of their country having subsisted, supplied and distinguished them, obviously owe to their country a duty not to omit, but to seek every opportunity to render to her their best services in disabling or disgracing the arms of her enemies.

If it be asked what possible advantage could be hoped from the proposed contest? we answer a great national one—victory; and if inquired of, what is the advantage of such a victory? we answer, the enhancing the glory of our flag, the mortification of the overweaning and overbearing pride of our enemy, the accession of confidence to our own people, leading directly to other enterprises and success, and thus inspiring the world with a *due respect for our national prowess and skill*, THE GREAT PALLADIUM OF OUR COUNTRY'S INDEPENDENCE, AND THE HARBINGER OF A SERIES OF YEARS OF PEACE, PROSPERITY AND HAPPINESS.

Although challenges have taken place between hostile fleets and armies, and single ships and individuals, in all ages, ancient and modern, barbarous and civilized, we take great pleasure in assuring friend Poulson, there is not in the record of any country or age, and under no circumstances national or individual, an instance so completely justifiable as to the motive, and so honorable and fair in its terms, as this of commodore Decatur's to Sir Thomas Hardy.

With regard to the motive, we think enough may have already been said, but as to the terms, we repeat, and wish it may again and again be repeated, *that the British declined a combat with our countrymen, frigates to frigates, notwithstanding they were allowed to man their ships with what numbers they pleased, and select their men from the crews of a line of battle ship and a sloop of war, and it was agreed on our part that the armaments should be precisely equal.*

We hope it will forever suppress that disgraceful spirit of cavil, that sought to measure the pillar of our naval renown, by a two foot rule, and would deduct from the pyramids of glory which our commanders have erected to themselves the difference in the breadth of beam betwixt ours and the enemy's frigates.

ERRATA.—We seem unfortunate in making errors in the ADDENDAS, owing perhaps to the hurry attending their publication. In page 14 of the Addenda that accompanies this No. *second column*, the second line from the top was left out—it should read, "by the sweet reward of riches and honor, *would make many improvements in science and art, which would*," &c.

END OF VOLUME THE FIFTH.

# THE WEEKLY REGISTER.

ADDENDA TO VOLUME THE FIFTH.

*Hæc olim meminisse juvabit.*—VIRGIL.

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## Audi alteram partem.

### MEMORIAL TO CONGRESS

*Of sundry Citizens of the United States, praying relief from the oppressive operation of* OLIVER EVANS' *PATENT; vesting in him an exclusive right to certain Machinery, now in general use, in the Manufacture of Flour; with evidence to shew that the said Evans was neither the Original Inventor nor first applier of said Machinery, and consequently not entitled to the reward due to an actual Inventor under the Patent Laws of the United States.*

THE subject of Oliver Evans' Patent rights to certain machinery used in the manufacture of flour, having excited considerable interest in the United States, in consequence of the exorbitant demands of the patentee, as well as the various publications, he has made for the purpose of establishing the validity of his claims. It now seems necessary to exhibit to the public a plain statement of the case, in order that those persons interested, may the more easily discover how far the patentee is entitled to recover under his plea of originality of invention.—In the year 1787, Oliver Evans obtained from the state of Delaware, a law investing in him the exclusive right to the use of the Elevator and Hopper-boy, in that state, (except to three used in the mills at Stanton) he also obtained from the states of Pennslyvania and Maryland, in the year 1787, laws vesting in him the exclusive right to use the same machinery in those states: in neither of these laws is the screw or conveyor mentioned, it may therefore be fairly infered that he did not at the time of their enactment, suppose himself to be the inventor of that machine.—In 1790 he obtained from the United States a patent, vesting in him the "sole and exclusive right, and liberty of using and vending to others the said machinery," including the screw or conveyor, for the term of fourteen years; during the existence of the exclusive rights a vast number of mills were erected into which this machinery was introduced, and on which Oliver Evans generally demanded and received his patent price, varying according to the powers and elevation of the mill from thirty to forty dollars, for each pair of stones; some persons, however, he alledges, refused to pay him, and in a suit which he instituted in the circuit court of the United States at Philadelphia, for the purpose of enforcing a compliance with his demands, it was decided on the 23d day of October, 1807, that his patent was deficient and therefore invallid. This decision took place about three years after the expiration of his first patent from the general government, and consequently could have had no influence in inducing other persons to refuse payment before that period. The decision of the circuit court was made the pretext by Oliver Evans, for an application to congress in the year 1807, for a new patent, which was granted him (it is presumed) under a belief that he was the actual inventor and first applier of those machines, on which he had claimed and recovered the fees of a patentee first under the states of Pennsylvania, Delaware and Maryland, and then under the general government, a period of about 18 years.—The new patent granted to Oliver Evans, is dated on the 22d day of January, 1808, one day after the passage of the law, authorizing the secretary of state to issue it; and upwards of three years after the expiration of his patent from the general government—during this interval in which no prohibition existed to prevent the erection of the Elevators, &c. many mills were built and those machines erected under the expectation that these would be exempt from the tax of a patentee.—A different construction however has been given to the reviving law by the courts, and those mills placed upon the same footing that mills are which have been erected since the enacting of the law of 1808 and issuing of the new patent—in one instance eighteen hundred and fifty dollars damages have been awarded upon a mill, erected during the interval, and capable of manufacturing twelve barrels of flour per day.—The alarming demands of the patentee with the construction given to the law by the courts, has induced an inquiry whether the improvements by which Oliver Evans is amassing so much wealth at the expense of the Farmers' and Millers' of the United States, are really his inventions, or those of other persons, collected by him and *ingeniously* applied to his benefit. This inquiry has resulted in the following evidence which has been laid before the Honourable Congress of the United States, at their present session, with a Memorial praying relief from the oppressive operation of the patent.

It is much to be regretted, that an exhibition of this testimony did not take place at the time of his application for a renewal of his patent; it might then have been the means of saving much trouble and expense to the public, and many individuals from great pecuniary embarrassment. The very able letter of Thomas Jefferson, Esquire, late President of the United States, [No. I] cannot fail to place in a just point of view Mr. Evans' claim to the originality in the invention of the Elevators; while the depositions of Samuel Stroud, Charles Lathom and Miland Martin, [II] will shew that he was neither the first inventor nor applier of them to their present use. The depositions of George Roup, Henry Stouffer, and Abram Stouffer, [III] most clearly prove that the Hopper Machine, (or Hopperboy) was in use long before Mr. Evans has pretended to be the inventor of that machine. The depositions of Lewis Evans, John Ellicott and Joseph Evans, [IV] will as clearly shew that he was neither the first inventor nor applier of the Screw or Conveyor, which is so necessary to complete the combination of what Mr. Evans calls his improvements. The memorial of Jeremiah Baily, [V] with Oliver Evans' letter to him [VI] will shew the means practised to prevent the introduction of improvements that may have a tendency to reduce the value of his monopoly.

The invention of Mr. Baily, though simple in its construction, is intended to answer the purpose of both the Elevator and Conveyor, though neither in form nor principle bearing the smallest resemblance to either, except that it accomplishes the same end.

It is then a question, how Oliver Evans has been enabled to impose on the public for so long* a time with his patent rights, which can only be answered by supposing the inconsiderable price demanded under his first patent was paid him, rather than incur the trouble and expense of a judicial inquiry into the validity of his claim. The price demanded under the new patent upon a mill with one water wheel and two pair of stones [VII] is sufficient to shew that the powers of the patentee cannot be too early limited. This subject was last winter before the Senate of the United States and partially acted upon; but, as will appear by the report of their committee [VIII] the late period in the session at which it was taken up, was the reason why it was not fully investigated.

The reason why it has been thought necessary by the patentee to make and publish numerous calculations, to shew the great profits arising to the manufacturers of flour from the use of his pretended inventions, is an enigma not easily to be solved. If he is seriously of the opinion that they are founded in truth, the most credulous will not suppose their author capable of inventing the numerous improvements that he claims. If he knows them to be erroneous, what other object can he have in view than to prejudice the public mind, and thereby render it more difficult to defeat his pretentions by a legal inquiry. It is a fact, well known to every experienced miller in the United States, that the profits of the manufacturers of flour are not so great now as they were before the introduction of the Elevator, &c. owing to the number of mills having increased in the ratio greater than the growth of grain; and the certificate of some of the most skilful millers [IX] will sufficiently prove, that more flour cannot be made from a given quantity of wheat by the use of the modern improvements than can be without them. Were the use of labour-saving machinery confined to a few persons only, much would be saved to them from that source; but when it is as common in mills as the water wheels that work them, can it be believed that any profit can arise that would not, if no such machinery were in general use? So long as the number of mills are more than sufficient to manufacture all the grain raised, the competition amongst purchasers will necessarily keep the price so high, that a bare profit only will be left to the manufacturer, while the farmer will, from the competition, reap the benefit that arises from the improvements, by obtaining an advanced price for his produce.

That the subject of Mr. Evans' claim may rest upon its merits only, the documents and evidence are submitted without further comment.

*Baltimore, December 28th*, 1813.

* It is about twenty-six years since the Millers first became tributary to Mr. Evans.

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No. I.

*Monticello, August 13th*, 1813.

SIR,

Your letter of August 3d, asking information on the subject of Mr. Oliver Evans's exclusive right to the use of what he calls his Elevators, Conveyers and Hopperboys, has been duly received. My wish to see new inventions encouraged, and old ones brought again into useful notice, has made me regret the circumstances which have followed the expiration of his first patent. I did not expect the retrospection which has been given to the reviving law; for although the second proviso seemed not so clear as it ought to have been, yet it appeared susceptible of a just construction; and the retrospective one being contrary to natural right, it was understood to be a rule of law, that where the words of a statute admit of two constructions, the one just and the other unjust, the former is to be given them. The first proviso takes care

of those who had lawfully used Evans' improvements under the first patent; the second was meant for those who had lawfully erected and used them after that patent expired, declaring they "should not be liable to damages therefor." These words may indeed be restrained to uses already past; but as there is parity of reason for those to come, there should be parity of law. Every man should be protected in his lawful acts, and be certain that no expost facto law shall punish or endamage him for them. But he is endamaged if forbidden to use a machine lawfully erected at considerable expense, unless he will pay a new and unexpected price for it. The proviso says, that he who erected and used lawfully shall not be liable to pay damages: but if the proviso had been omitted would not the law, construed by natural equity, have said the same thing? In truth, both provisos are useless. And shall useless provisos, inserted pro majori cautelâ, only authorise inferences against justice? The sentiment that expost facto laws are against natural rights is so strong in the United States, that few, if any, of the state constitutions have failed to proscribe them. The federal constitution indeed interdicts them in criminal cases only; but they are equally unjust in civil as in criminal cases; and the omission of a caution which would have been right does not justify the doing what is wrong; nor ought it to be presumed, that the legislature meant to use a phrase in an unjustifiable sense, if by any rules of construction it can be even strained to what is just. The law books abound with similar instances of the care the judges take of the public integrity. Laws moreover abridging the natural rights of the citizen should be restrained by rigorous constructions within their narrowest limits.

Your letter, however, points to a much broader question, whether what have received from Mr. Evans the new and the proper name of Elevators are of his invention: because, if they are not, his patent gives him no right to obstruct others in the use of what they possessed before. I assume it as a lemma, that it is the invention of the machine itself which is to give a patent right, and not the application of it to any particular purpose of which it is susceptible. If one person invents a knife convenient for pointing our pens, another cannot have a patent right for the same knife to point our pencils. A compass was invented for navigating the sea; another could not have a patent right for using it to survey land. A machine for threshing *wheat* has been invented in Scotland; a second person cannot get a patent right for the same machine to thresh *oats*; a third *rye*; a fourth *peas*; a fifth *clover*, &c. A string of buckets is invented and used for raising water, ore, &c. can a second have a patent right to the same machine for raising wheat, a third oats, a fourth rye, a fifth peas, &c.? The question then whether such a string of buckets was invented first by Oliver Evans, is a mere question of fact in mathematical history. Now turning to such books only as I happen to possess, I find abundant proof that this simple machinery has been in use from time immemorial. Doctor Shaw, who visited Egypt and the Barbary coast, in the years 1727—8. 9, in the margin of his map of Egypt, gives us the figure of what he calls a Persian wheel, which is a string of round cups, or buckets, hanging on a pully, over which they revolve, bringing up water from a well, and delivering it into a trough above. He found this used at Cairo, in a well 264 feet deep, which the inhabitants believe to have been a work of the patriarch Joseph. Shaw's Travels, 341, Oxford edition of 1738, in folio, and the Universal History, I. 416, speaking of the manner of watering the high lands in Egypt, says—"Formerly they made use of Archimedes' Screw, thence named the Egyptian Pump; but they now generally use Wheels (Wallowers) which carry a rope or chain of earthen pots, holding about 7 or 8 quarts a piece, and draw the water from the canals. There are besides, a vast number of wells in Egypt, from which the water is drawn in the same manner to water the gardens and fruit trees; so that it is no exaggeration to say, that there are in Egypt above 200,000 oxen daily employed in this labour." Shaw's name of Persian wheel has been since given more particularly to a wheel with buckets, either fixed or suspended on pins at its periphery.—Mortimer's Husbandry, I, 18, Duhamel, V. Ferguson's Mechanics, plate 13. But his figure, and the verbal description of the Universal History, prove, that the string of buckets is meant under that name. His figure differs from Evans' construction in the circumstances of the buckets being round, and strung through their bottom on a chain; but it is the principle; to wit, a string of buckets, which constitutes the invention, not the form of the buckets, round, square, or hexagon; nor the manner of attaching them, nor the material of the connecting band, whether chain, rope or leather. Vitruvius, L. X. c. 9, describes this machinery as a windlass, on which is a chain descending to the water, with vessels of copper attached to it; the windlass being turned, the chain moving on it will raise the vessels, which in passing over the windlass, will empty the water they have brought up into a reservoir: and Perrault, in his edition of Vitruvius, Paris, 1684, folio, plates, 61, 62, gives us

three forms of these water elevators, in one of which the buckets are square, as Mr. Evans' are. Bossut, Histoire des Mathematiques, I. 86, says, "The drum wheel, the wheel with buckets, and the *chapelets*, are hydraulic machines, which come to us from the ancients; but we are ignorant of the time when they began to be put into use." The *chapelets* are the revolving band of buckets, which Shaw calls the Persian wheel, the moderns a chain pump, and Mr. Evans elevators. The next of my books, in which I find these elevators, is Wolf's Cours de Mathematiques, I. 370, and plate 1, Paris, 1747—8vo. Here are two forms; in one of them the buckets are square, attached to two chains, passing over a cylinder or wallower at top, and under another at bottom, by which they are made to revolve. It is a nearly exact representation of Evans' elevators. But a more exact one is to be seen in Desagulier's Experimental Philosophy, II. plate 34. In the Encyclopedie de Diderot et D'Alembert 8vo. edition de Lausanne, 1st vol. of plates, in the four subscribed Hydraulique, noria, is one, where round earthen pots are tied by their collars, between two endless ropes, suspended on a revolving lanthern or wallower; this is said to have been used for raising ore out of a mine. In a book which I do not possess, "L'Architecture Hydraulique de Belidor, the II vol. of which is said [De La Lande's continuation of Montucla's Histoire des Mathematiques, III. 711] to contain a detail of all the pumps, ancient and modern, hydraulic machines, fountains, wells, &c. I have no doubt this Persian wheel, chain pump, chapelets, elevators, by whichever name you choose to call it, will be found in various forms. The last book I have to quote for it is Proney's Architecture Hydraulique, I. advertisement VII. and sec's 648, 649, 650, in the latter of which passages he observes, that the first idea which occurs for raising water is to lift it in a bucket by hand; when the water lies too deep to be reached by hand, the bucket is suspended by a chain and let down over a pully or windlass; if it be desired to raise a continued stream of water, the simplest means which offers itself to the mind is to attach to an endless chain or cord a number of pots or buckets, so disposed that the chain being suspended on a lanthern or wallower above, and plunged in water below, the bucket may descend and ascend alternately, filling themselves at bottom, and emptying at a certain height above, so as to give a constant stream. Some years before the date of Mr. Evans' patent, a Mr. Martin of Caroline county, in this state, constructed a drill plough, in which he used the band of buckets for elevating the grain from the box into the funnel which let them down into the furrows: he had bands with different setts of buckets, adapted to the size of peas, of turnip seed, &c. I have used this machine for sowing benni seed also, and propose to have a band of buckets for drilling Indian corn, and another for wheat. Is it possible that in doing this I shall infringe Mr, Evans' patent? That I can be debarred of any use to which I might have applied my drill when I bought it by a patent issued after I bought it.

These verbal descriptions applying so exactly to Mr. Evans' Elevators, and the drawings exhibited to the eye, flash conviction both on reason and the senses that there is nothing new in these elevators but their being strung together by a strap of leather. If this strap of leather be an invention entitling the inventor to a patent right, it can only extend to the strap, and the use of the string of buckets must remain free to be connected by chains, ropes, a strap of hempen girthing, or any other substance except leather; but indeed Mr. Martin had before used the strap of leather.

The screw of Archimedes is as ancient at least as the age of that mathematician, who died more than 2000 years ago. Diodorus Siculus speaks of it, lib 1, page 21, and lib 5, page 217, of Stevens' edition of 1559, folio, and Vitruvius, X. 11. The cutting of its spiral worm into sections, for conveying flour or grain, seems to have been an invention of Mr. Evans', and to be a fair subject of a patent right, but it cannot take away from others the use of Archimedes' screw, with its perpetual spiral, for any purposes of which it is susceptible.

The Hopperboy is an useful machine and as far as I know original.*

It has been pretended by some (and in England especially) that inventors have a natural and exclusive right to their inventions; and not merely for their own lives, but inheritable to their heirs: but while it is a moot question, whether the origin of any kind of property is derived from nature at all, it would be singular to admit a natural and even an hereditary right to inventions. It is agreed by those who have seriously considered the subject, that no individual has, of natural right, a separate property in an acre of land: for instance, by an universal law, indeed, whatever, whether fixed or moveable, belongs to all men equally and in common, is the property for the moment of him who occupies it; but when he relinquishes the occupation the property goes with it. Stable ownership is the gift of social law, and is

*The enlightened author was not apprised of the depositions contained in No. III. where the evidences are so conclusive against Mr. Evans on the subject of the Hopper-boy.

given late in the progress of society: it would be curious then if an idea the fugitive fermentation of an individual brain, could of natural right be claimed in exclusive and stable property. If nature has made any one thing less susceptible than all others of exclusive property, it is the action of the thinking power called an idea; which an individual may exclusively possess as long as he keeps it to himself, but the moment it is divulged it forces itself into the possession of every one, and the receiver cannot dispossess himself of it. Its peculiar character too is that no one possesses the less because every other posseses the whole of it. He who receives an idea from me receives instruction himself without lessening mine; as he who lights his taper at mine receives light without darkening me. That ideas should freely spread from one to another over the globe for the moral and mutual instruction of man and improvement of his conditions, seems to have been peculiarly and benevolently designed by nature when she made them, like fire, expansible over all space, without lessening their density in any point; and like the air in which we breathe, move, and have our physical being, incapable of confinement or exclusive appropriation. Inventions then cannot in nature be a subject of property. Society may give an exclusive right to the profits arising from them as an encouragement to men to pursue ideas which may produce utility. But this may or may not be done according to the will and convenience of the society, without claim or complaint from any body. Accordingly it is a fact, as far as I am informed, that England was, until we copied her, the only country on earth which ever by a general law gave a legal right to the exclusive use of an idea. In some other countries it is sometimes done in a great case and by a special and personal act; but generally speaking other nations have thought that these monopolies produce more embarrassment than advantage to society; and it may be observed that the nations which refuse monopolies of inventions are as fruitful as England in new and useful devices.

Considering the exclusive right to invention as given, not of natural right, but for the benefit of society, I know well the difficulty of drawing a line between the things which are worth to the public the embarrassment of an exclusive patent and those which are not. As a member of the patent board for several years, while the law authorised a board to grant or refuse patents, I saw with what slow progress a system of general rules could be matured. Some however were established by that board.——One of these was that a machine of which we were possessed, might be applied by every man to any use of which it is susceptible, and that this right ought not to be taken from him and given to a monopolist, because he first perhaps had occasion so to apply it. Thus, a screw for crushing plaister might be employed for crushing corn cobs, and a chain pump for raising water might be used for raising wheat—this being merely a change of application. Another rule was that a change of material should not give title to a patent, as the making a plough share of cast rather than of wrought iron; a comb of iron instead of horn or of ivory, or the connecting of buckets by a band of leather rather than of hemp or iron. A third was, that a mere change of form should give no right to a patent; as a high quartered shoe instead of a low one, a round hat instead of a three square, or a square bucket instead of a round one; but for this rule all the changes of fashion in dress would have been under the tax of patentees. These were among the rules which the uniform decisions of the board had already established; and under each of them Mr. Evans' patent would have been refused. 1st, Because it was a mere change of application of the chain pump from raising water to raise wheat. 2d, Because the using a leathern instead of a hempen band was a mere change of material: and 3rdly, square buckets instead of round, are only a change of form; and the ancient forms too appear to have been indifferently square or round. But there were still abundance of cases which could not be brought under rule, until they should have presented themselves under all their aspects; and these investigations occupying more time of the members of the board, than they could spare from higher duties, the whole was turned over to the judiciary, to be matured in a system under which every one might know when his actions were safe and lawful. Instead of refusing a patent in the first instance, as the board was authorised to do, the patent now issues of course subject to be declared void on such principles as should be established by the courts of law. This business however is but little analogous to their course of reading, since we might in vain turn over all the lubberly volumes of the law to find a single ray which would lighten the path of the mechanic or mathematician; it is more within the information of a board of academical professors, and a previous refusal of a patent would better guard our citizens against harrassment by law suits. But England had given it to her judges, and the usual predominancy of her examples carried it to ours.

It happened that I had myself a mill built in the interval between Mr. Evans's first and second patents. I was living in Wash-

ington, and left the construction of the mill entirely to the mill-wright. I did not even know he had erected elevators, conveyors and hopperboys, until I learnt it by an application, from Mr. Evans's agent for the patent price. Although I had no idea he had a right to it by law (for no judicial decision had then been given) yet I did not hesitate to remit to Mr. Evans the old and moderate patent price, which was what he then asked, from a wish to encourage even the useful revival of ancient inventions. But I then expressed my opinion of the law in a letter either to Mr. Evans or to his agent.

I have thus, sir, at your request given you the facts and ideas which occur to me on the subject. I have done it without reserve, although I have not the pleasure of knowing you personally. In thus frankly committing myself to you, I trust you will feel it as a point of honour and candour to make no use of my letter, which might bring disquietude on myself;* and particularly I should be unwilling to be brought into any difference with Mr. Evans, whom, however, I believe too reasonable to take offence at an honest difference of opinion. I esteem him much and sincerely wish him wealth and honour. I deem him a valuable citizen of uncommon ingenuity and usefulness; and had I not esteemed still more the establishment of sound principles I should now have been silent. If any of the matter I have offered can promote that object, I have no objection to its being so used. If it offers nothing new, it will of course not be used at all.

I have gone with some minuteness into the mathematical history of the elevator, because it belongs to a branch of science, in which, as I have before observed, it is not incumbent on lawyers to be learned; and it is possible, therefore, that some of the proofs I have quoted, may have escaped on their former arguments.

On the law of the subject I should not have touched, because more familiar to those who have already discussed it, but I wished to state my own view of it merely in justification of myself; my name and approbation being subscribed to the act. With these explanations, accept the assurances of my respect.

TH: JEFFERSON.

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No. II.

This is to certify that I, the subscriber in company with William Marshall, occupied the upper mill at Stanton, in the year 1785 or 1786, and in the early part of that year did erect a set of Elevators and Hopper-boy which we kept at work several years, that at the time of erecting this Machinery *I had no knowledge or belief of any of the kind being erected in the United States or elsewhere*, and that after the said Machinery had been at work some time *Oliver Evans called at the mill to see it and said that he had planned in his head a similar sett and appeared much pleased with the operation of them.* That the said Oliver had nothing of the kind at work at the time nor for a considerable length of time afterwards, that I knew of, and that *the said Oliver resided about two and an half miles from our mill*, and that I never saw any thing of the kind at work in his mill for more than a year after we had the Elevators and Hopper-boy at work. Our Hopper-boy was an upright shaft revolving round with an arm not exactly like the one now in use, but it was upon the same principle. That it was extended with flights to draw the meal towards the Hopper; that one end of it was fastened in the shaft, the other raised up to fill the meal round it, and as it drawed the meal into the Hopper it lowered. And I am confident that at the time Oliver Evans applied for the patent right of the machinery, had we thought it an object worthy our attention, we could have prevented him from obtaining his patent, as the legislature of this state would not grant a patent, knowing that we were the inventors, and in the law the said mills were exempt, and we could have had a patent right secured ourselves. That it was generally allowed by the people of the neighbourhood that we were the inventors of the Elevators, &c. and that the said Oliver Evans did not receive any pay from me for his patent right. That the first idea of the Elevators originated with James Stroud, seeing a hand turning a rolling screen on which a buckle was fixed, and as it revolved round, the buckle catched grains of wheat at the bottom and throwed them over at the top; he then mentioned that by putting buckets on the said strap, it would raise wheat or flour to any distance he would chuse and empty it at the top. And that they did immediately erect an Elevator on that plan, which is the one now in use, and I believe that no improvement has been made since.

Witness my hand, January 5th, 1813.

SAMUEL STROUD.

Before me, Edward Roche, esquire, Notary and Tabellion Public for the State of Delaware, duly commissioned and authorized, residing in the borough of Wilmington, on this fifth day of January, 1813, personally came Samuel Stroud, of said borough, merchant, and on his solemn affirmation, duly administered, affirmed and declared that the facts mentioned in the preceding certificate,

* It is proper to observe, that though the author did not at the time writing this letter, contemplate its publication, yet his permission has since been obtained to use it in the promotion of right.

signed and subscribed by him, are correct and true.

In testimony whereof, I have hereunto set my hand and affixed my Notarial Seal, January 5th, 1813.

EDWARD ROCHE.

We the subscribers, undermentioned, do certify, that the annexed statement, made and subscribed by Samuel Stroud, is to the best of our knowledge and belief, just and true, and that notwithstanding our having heretofore given to Oliver Evans our depositions relative to the said invention: do hereby declare, upon mature reflection and consideration, and say that the said deposition of *Samuel Stroud* is to the best of our knowledge correct. The reason that we have said Oliver Evans was the inventor of that machinery, was, *that the said Oliver Evans told us so, and we declared we had no further evidence of it*; that as to the Hopper-boy in Marshall and Stroud's mill, Oliver Evans never claimed to be the inventor of the first motion.

Witness our hands January 5th, 1813.

JAMES STROUD,
EDWARD MARSHLAL.

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No. III.

*King William County, (Va.) to wit:*

I hereby certify, that Charles Lathom, personally appeared before me, the subscriber, a magistrate of the county above mentioned, on the 9th day of December, 1813, and made oath to the two following interrogatories, touching the matters therein contained, the answers which appear below:

1st. Interrogatory.—At what time did Major Martin first invent, construct or use the drill-plough?

2d. Interrogatory.—Did the said plough contain an elevator, and, if so, of what materials was the elevator constructed—was the strap revolving round rollers made of leather or what other substance: and of what materials were the buckets attached to the strap composed?

To the 1st interrogatory the said Charles Lathom answereth, that the said Major Martin first invented, constructed, or used the drill-plough, with elevators confined to a roller of about three inches in diameter, in the year 1777, or 1778 at all events.

To the 2d interrogatory the said Charles Lanthom answereth that an elevator was used, constructed by the application of tin buckets to a wheel at the time abovementioned, to wit, 1777, or 1778. Afterwards the said plough contained an elevator, which was constructed of a leather strap, to which was fixed cups or buckets, which appeared to the witness to be cast of lead or pewter. The said cups or buckets were of the shape of a thimble, or of the cup of an acorn; revolving around two rollers of wood with an iron axle, which rollers were of about three inches in diameter, and six inches asunder. The distance of the elevators from each other, depended upon the size of the wheel that ran upon the ground and turned them. The said cups or buckets were of a size large enough to carry about three grains of Indian corn, or five of black-eyed peas. The time when the said elevator was used, was in or before the year 1782, as the witness is fully persuaded he then saw it.

JOHN ROANE.

*State of Virginia,*
*King William County, to wit:*

I Robert Pollard, Clerk of the county aforesaid, do hereby certify, that John Roane, Esquire, whose hand is affixed to the foregoing affidavit, is a magistrate of the county of King William, and that due faith and credit ought to be paid to all his acts and deeds as such.

In testimony whereof I have hereunto set my hand and caused the seal of my office to be hereunto affixed, this 11th day of December, 1813, in the 38th year of the Commonwealth.

ROBERT POLLARD, C. C.

*State of Virginia,*
*King William County, to wit:*

I Christopher Tompkins, presiding justice of the peace, in and for the county aforesaid, do certify, that Robert Pollard, whose certificate is hereunto annexed, is Clerk of the Court of said county, and that his said certificate is in due form of law, and that due faith and credit is and ought to be given to all his official acts as well in courts of judicature as thereout. Given under my hand, this 11th day of December 1813, in the 38th year of the Commonwealth.

CHRISTOPHER TOMPKINS.

—

No. IV.

*King William County, (Va.) to wit:*

I hereby certify that Mildred Martin personally appeared before me the subscriber, a magistrate of the county abovementioned, on the 9th day of December, 1813, and made oath to the two following interrogatories, touching the matters therein contained, the answers to which appear below:

1st. Interrogatory.—At what time did Major Martin first invent, construct or use the drill plough?

2d. Did the said plough contain an elevator, and if so, of what materials was the elevator constructed—was the strap revolving round rollers made of leather, or what other substance—and what materials were the buckets, attached to the strap, composed?

To the 1st interrogatory the said Mildred Martin answereth that she was married in the year 1781 to Major Thomas C. Martin, and in the spring of the year following, to wit, 1782, her late husband, the aforesaid Thomas C. Martin, planted a crop of Indian corn, as she believes with a drill-plough, which will be mentioned more at large in her answer to the second interrogatory abovementioned. To the first abovementioned interrogatory, she farther answereth she has no doubt but the same plough was used in 1782, but how much earlier, or when the said Thomas C. Martin first invented, constructed, or used the said drill-plough, she does not know.

To the second interrogatory the said Mildred Martin answereth that the said drill-plough did contain an elevator of which the following is the description: two rollers, one fixed over the other, around which a leather strap was passed about one and half inches broad, and twenty inches long, to which small tin cups or buckets of a size to contain two or three grains of Indian corn were fastened—the beforementioned strap passed through a hopper or box containing the corn, and the corn was dropped from the tin cups or buckets, as the strap passed over the upper roller—the rollers received their motion from a wheel fixed to the plough, and communicated the motion to the leather strap. Given under my hand this 9th day of December, 1813.

WALKER HAWES.

*State of Virginia,*

*King William County, to wit:*

I Robert Pollard, clerk of the county aforesaid, do hereby certify that Walker Hawes, esq. whose hand is affixed to the foregoing affidavit, is a magistrate of the county of King William, and that due faith and credit ought to be paid to all his acts and deeds as such.

In testimony whereof, I have hereunto set my hand, and caused the seal of my office to be hereunto affixed, the 11th day of December, 1813, in the 38th year of the Commonwealth.

ROBERT POLLARD, C. C.

*State of Virginia,*

*King William County, viz.*

I Christopher Tomkins, presiding justice of the peace in and for the county aforesaid, do certify that Robert Pollard, whose certificate is hereto annexed, is clerk of the court of said county, and that his said certificate is in due form of law, and that due faith and credit is and ought to be given to all his official acts, as well in Courts of Judicature as thereout. Given under my hand this 11th day of December, 1813, in the 38th year of the Commonwealth.

CHRISTOPHER TOMKINS.

No. V.

In the Circuit Court of the United States, in and for the District of Pennsylvania, in the third Circuit.

Oliver Evans, *vs.* Benjamin Chambers, *gentlemen,* } Sums Case. No. 19, April. 1804.

And now to wit, this twenty-third day of December, A. D. 1805.

Ordered—That the depositions of witnesses, as well on the part of the plaintiff as of the defendant, be taken and read in evidence on the trial of this cause, in case of the death, absence or inability of such witness to attend court upon the trial of this cause.

Rule—That if either of the parties neglect or refuse to attend at the taking of the depositions, on fifteen day's notice, the depositions may be taken *ex parte.*

A true copy

D. CALDWELL, *Clk. Circt. Ct.*

The annexed depositions were taken before me this eleventh day of January, 1806, in pursuance of the rule of court, at the house of Thomas Hetich, in Chambersburg,

Witness my hand and seal the day and year above.

J. MAXWELL, *Seal.*

*To the honourable Judges, of the Circuit Court.*

CIRCUIT COURT.

Evans *vs.* Chambers. } Interrogatories to be put to the witnesses who may be examined on the part of defendant.

Inter. 1. What is your age, profession or employment?

Inter. 2. How long have you known the mill belonging to defendant? When did you examine it, and who was present?

Inter. 3. Describe, particularly, the machinery of the mill belonging to defendant in respect to which this action is brought.

Inter. 4. If you have seen a Hopper-boy, in use in any mill before the year 1786, describe the same particularly, and answer the following questions:

1st. Was such Hopper-boy so constructed that the arm, which played on the meal, would rise of itself, as well as lower itself, to suit any quantity of meal that might be thrown under it.

2nd. Were the arms or arm which played

on the meal led round by cords, or leading lines which were made fast at their ends, and also fast to another arm which was made fast to the upright shaft near the upper end?

3d. Was the under side of the arm set with little inclining boards which turned up the meal to expose it to the air to cool and gather it at the same time into the bolting hopper?

4th. Was the arm balanced by a weight which hung to the end of a cord passing over a pully at the upper end of the upright shaft to make it play lightly on the meal, in order that it might require little force to turn it and to make it rise over the meal of itself as the miller shovelled it up in a heap round the bolting hopper, or as the meal should fall from the elevator without stopping the motion of the hopper-boy?

Inter. 5. Do you know the plaintiff? How long have you known him? Did you ever see him working at any mill in Lancaster county?—If yea, mention precisely in what year; and what particular mill he was working at.

W. RAWLE, for Plff.

Oliver Evans, vs. Benj. Chambers, gentleman. } In the Circuit Court of the United States in and for the District of Pennsylvania, in the Third Circuit.

Sum's Case, No. 19.

*April*, 1804.

*Franklin County, Pennsylvania, sct.*

On this eleventh day of January, in the year of our Lord one thousand eight hundred and six, before me, one of the Associate Judges of the Court of Common Pleas, in and for Franklin County, in Pennsylvania, at the house of Thomas Hetick, in Chambersburg, appeared George Roupe, burr-mill-stone-maker, who being by me legally affirmed to tell the truth, the whole truth, and nothing but the truth between the parties in the above cause, doth say: that he is aged forty-nine years and upwards, and formerly a millwright, and now a burr-mill-stone-maker; that this affirmant, in the year one thousand seven hundred and eighty-five, or very early in the year eighty-six, built a mill for George Fry and Jehu Hollingsworth, in Dauphin County, in this state, wherein he put a Hopper machine, calculated to convey the flour to feed the bolt; that he believes that two years before this, he put one in Brineman's mill, that the only difference between the Hopper machine made by this affirmant and put up in Fry's mill and the Hopper-boy in Benjamin Chambers's mill, is this, that the Hopper-boy is supported by weights to prevent it from sinking too deep into the flour; and the Hopper machine made by affirmant was shorter in the boards underneath that collect in the flour to the centre; the cross piece in the Hopper-boy in captain Chambers's mill is long and straight, and the cross piece in the Hopper machine, made and put up as aforesaid, was put in the form of an S, but, that the geers, necessary to work both, are precisely the same, and the principle mechanically the very same.

*On part of plaintiff;*

In answer to the first interrogatory affirmant says, that he has already answered the same in a former part of his deposition.

In answer to the second interrogatory, affirmant says, that he has lived in Chambersburg three years, during which time he has known the mill of Benjamin Chambers.—That this week he examined the said mill, no one present.

In answer to the third interrogatory, affirmant says, that there is an upright shaft, a cross piece with the shovels fastened on them, and works by the bolting geers.

In answer to the fourth interrogatory, affirmant says, that he does not recollect to have ever seen a hopper-boy in operation before the year one thousand seven hundred and eighty-six. The hopper machine, affirmant made for George Fry and Jehu Hollingsworth, as aforesaid, he did not see in operation for some time after the mill was finished, as the race was not dug entirely before she was finished.

In answer to the first interrogatory, affirmant says, that he regulated the motion of his hopper machine by shortening the teeth to give it feed, and when it had too little, by throwing unbolted flour on the arms.

In answer to the second interrogatory, affirmant says, that the hopper machine made and put up by him at Fry and Hollingsworth's, was fastened in a square shaft and not led round by cords.

In answer to the third interrogatory, affirmant says, that the hopper machine he made and put up in Fry and Hollingsworth's mill, differs only from the hopper-boy in Benjamin Chambers' mill in this, that affirmant nailed on the under side of the cross piece small strips of boards—that the hopper-boy has small pieces of boards or shovels sawed in the cross piece, but the effects produced by both are the very same.

In answer to the fourth interrogatory, affirmant says, that he had no balance to his hopper machine, except as before stated in answer to first interrogatory, which balance he always found to answer the end.

In answer to the fifth interrogatory, affirmant replies, that he knows Oliver Evans—I have known him about three years since. I never saw him at work at any mill in Lancaster county or elsewhere. And further saith not.

GEORGE ROUPE.

Affirmed and subscribed before me, 11th January, 1806. J. MAXWELL.

Oliver Evans vs. Benjamin Chambers, gentleman. } In the circuit court of the United States, in and for the district of Pennsylvania in the third circuit.

Sums, Case No. 19, April, 1804.

*Franklin county, state of Pennsylvania*, sct.

On this eleventh day of January in the year of our Lord one thousand eight hundred and six, appeared before me, one of the associate judges of the court of common pleas, in and for Franklin county, in Pennsylvania, at the house of Thomas Hetick, in Chambersburg, Henry Stouffer, of said county, now

a farmer and formerly a miller, aged fifty-four years, who, being, by me, legally affirmed to testify the truth, the whole truth, and nothing but the truth in the above stated cause, doth depose as follows: That between thirty-five and forty years ago, Christian Stouffer, the brother of this deponent, invented and made a machine to feed the bolting chests in the mill of deponent's father, Jacob Stouffer, who then lived in Warwick township, Lancaster county; that in the year one thousand seven hundred and seventy-five, this deponent bought a mill of Thomas Usher, near York-town, in Pennsylvania, that at that time there was no machine in her to feed the bolts, but that this deponent got his brother Daniel Stouffer, in that year, to erect one similar to the machine that was in his father's mill. That this deponent has this morning viewed the machine in the mill of the defendant of which the plaintiff complains, and is decidedly of opinion that it does in no particular differ in principle from the machinery for feeding the bolts above stated by him, and in use as aforesaid; there is some difference in the length, but its movements are governed and directed by the same mechanical principle; that this deponent saw the same kind of machine in use and operation in the mill of John Stouffer, deponent's brother in York county as aforesaid, about the year one thousand seven hundred and seventy-five.

In answer to the first interrogatory on part of plaintiff, Henry Stouffer answers as follows:

1st. That deponent is now fifty-four years of age, now a farmer, but formerly a miller.

Answer to the second interrogatory says, that he has resided in this county, near Chambersburg, about three years, during which time he has known defendant had a mill in said town, that he examined it this morning by himself.

Answer to the third interrogatory says, that it is worked by an upright shaft, on which is a large wheel and works in the bolting geers; that there is a cross piece of wood which lies on the flour and collects it to the centre to feed the bolt.

Answer to the fourth interrogatory says, that the machine, which he has mentioned in the body of his deposition, and which was in use in the year one thousand seven hundred and seventy-five, was not called by the name of a hopper-boy, but was called a hopper machine; and in answer to the first question arising out of the fourth interrogatory says, that the hopper machine which he knew in use, as above stated would lower itself to suit any quantity of flour that might be thrown under it, but that its own weight kept it down.

To the second interrogatory, deponent says, that the hopper machine invented and made by his brother Christian, was worked with cords as stated in the interrogatory; but that the one used by deponent near York-town had no cords, deponent believing they were of no use and the machine was better without them.

To third interrogatory, deponent says, that there were cross pieces nailed on the under side of the machines by him before stated to be used to convey, and that did well convey the flour to the centre, but not exactly like the one made by plaintiff, but answered the same end.

Answer to the fourth interrogatory says, that the hopper machine before mentioned by him was balanced by weights to regulate its motions; that in using it he sometimes hung heavy and sometimes lighter weights, as the machine required, to enable it to perform.

In answer to the fifth interrogatory, deponent says, that he has seen Oliver Evans about fourteen years since; that said Evans slept with deponent at deponent's brother's in Montgomery township, Lancaster county; never saw him at work in any mill in Lancaster county; that said Evans at that time went with deponent through deponent's brother's mill, where there was a hopper machine as before described to have been used thirty-five years since, that Evans these saw it, and that it was similar to Benjamin Chamber's machine, for which deponent understands he is sued by Oliver Evans: that the machine in deponent's brother's mill, which Mr. Evans saw, was made upwards of thirty years since, and that Oliver Evans only then offered for sale to his brother the elevators and said nothing about the hopper-boy. And further saith not.

HENRY STOUFFER.

Affirmed and subscribed before me, 11th January, 1806.

J. MAXWELL.

Oliver Evans, vs. Benjamin Chambers. } In the Circuit Court of the United States, for the district of Pennsylvania, in the third Circuit.

*Franklin County, Pennsylvania, ss.*

On this eleventh day of January, eighteen hundred and six, before me, one of the associate judges of of the court of common pleas, of Franklin county, in Pennsylvania, appeared Edward Crawford, Esq. prothonotary, of Franklin county, who being by me legally sworn, doth say that he has been acquainted with Abraham Stouffer twelve or thirteen years, with Henry Stouffer about twenty-two years, and with George Roupe about two years; that they are all men of property, and as far as deponent knows, believes, and has been informed, men of honesty and truth. And further saith not.

EDWARD CRAWFORD.

Sworn and subscribed before me 11th January, 1806.

J. MAXWELL.

Oliver Evans, vs. Benjamin Chambers, gentleman. } In the Circuit Court of the United States in and for the district of Pennsylvania, in the third Circuit.

Sums Case, No. 19, April, 1804.

*Franklin County, Pennsylvania, ss.*

On this eleventh day of January, in the year of our Lord, one thousand eight hundred and six, appeared before me, one of the associate judges in and for Franklin county, in Pennsylvania, at the house of Thomas Hetich, in Chambersburg, Abraham Stouffer, of said county, farmer, aged fifty-nine years and upwards, who being by me legally affirmed to testify the truth, the whole truth, and nothing but the truth, in the above stated cause, doth depose as follows: That between thirty-five and forty years since, Christian Stouffer invented and made a machine to feed the bolting chests, called then a hopper machine, in the mill of deponent's father, in Warwick township, Lancaster county—that this deponent built a mill in Maryland, upwards of twenty years ago, that he put in her a hopper machine similar in every part to the one made by Christian Stouffer as aforesaid—that deponent saw the same machine in use and operation in John Stouffer's mill and Jacob Stouffer' smill (that said John Stouffer lived near York-town in the year one thousand seven hundred and seventy-seven or eight. That deponent has seen the hopper-boy in the mill of Benjamin Chambers, and is decidedly of opinion that it does, in no essential particular, differ from the same kind of machine that deponent knew to be used thirty-five or forty years since for the same purpose, and that it is governed by the same mechanical principle, and that the difference lies in some trifling particulars. That Oliver Evans waited

an deponent in Maryland after he had his patent, and only proposed to sell him the elevators, and did not then claim the hopper-boy of deponent, although he saw it then in use in his mill.

In answer to the first interrogatory, put by the plaintiff, affirmant answers, that he is upwards of fifty-nine years of age, a farmer.

In answer to the second interrogatory, affirmant says, that he has resided in this county, one mile from Chambersburg, upwards of thirteen years, that he has known Benjamin Chambers' mill about six years—he has not examined since about a year.

In answer to the third interrogatory, affirmant says, that it is worked by an upright shaft, on which is a large wheel and works in the bolting geers—that there is a cross piece of wood which lies on the flour and collects it to the centre to feed the bolt.

In answer to the fourth interrogatory, affirmant says, that the machine which he has mentioned in the body of his deposition, and which was in use about thirty-five or forty years ago, was not called a "hopper-boy" but was called a hopper machine; and in answer to the first question, arising out of the fourth interrogatory, says, that the hopper machine which he knew in use, as above stated, would lower itself to suit any quantity of flour that might be thrown under it, but that its own weight kept it down.

In answer to the second interrogatory, affirmant says, that the hopper machine invented and made by his brother Christian Stouffer was worked with cords as stated in the interrogatory.

In answer to the third interrogatory, affirmant says, that there were cross pieces nailed on the under side of the machine by him, before stated to be used to convey, and that it did well convey the flour to the centre, but not exactly like the one made by plaintiff, but answered the same end.

In answer to the fourth interrogatory, affirmant says, that the hopper machine, mentioned by him before, was balanced by weights to regulate its motions, and which answered the purpose as well as Mr. Evans' plan.

In answer to the fifth interrogatory, affirmant says, that he has seen Oliver Evans—that he never saw him at work at any mill in Lancaster county, that the machine in deponent's mill, which Oliver Evans saw in use and operation, was made exactly in principle with the hopper-boy in Benjamin Chambers' mill, and copied from the one invented and made by his brother Christian Stouffer as aforesaid That Oliver Evans pestered deponent to purchase the elevators, but did not mention the hopper-boy, and this was after Evans had got his patent. And further saith not ABRAHAM STOUFFER.

Affirmed and subscribed before me } 11th January, 1806. }

J. MAXWELL.

UNITED STATES, } *Sct.*
*District of Pennsylvania,* }

I certify the foregoing to be true and faithful copies of the originals, filed and now remaining amongst the records of the circuit court of the United States, in and for the district of Pennsylvania, in the third circuit, in my office.

Witness my hand and the seal of the said court, at Philadelphia, this twenty-fifth day of November, A. D. 1813, and in the thirty-eighth year of the Independence of the said United States.

D. CALDWELL, *Clk. Circt. Ct.*

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No. V.

*To all whom it may concern:*

I, Lewis Evans, of Anne Arundle county, in the state of Maryland, aged fifty-two years, do hereby certify that I was employed by Jonathan Ellicott about the year 1785 or 1786 to execute, with the assistance of my brother Joseph Evans, a plan of a spiral screw, which he, Jonathan Ellicott, intended for the purpose of conveying flour in the bottom of a bolting chest from each end thereof to the centre, where the flour was designed to fall through a hole into the flour chest below, that we executed the plan under the direction of Jonathan Ellicott, and found it to answer the purpose completely.

That sometime after, but before the end of the year 1789, Oliver Evans came to Ellicotts' lower mills, on Patapsco, when the beforementioned screw was in operation; that Jonathan Ellicott in my presence observed to the said Oliver Evans that his screw would be a valuable appendage to his, Evans's elevators; that it would supply them with wheat or meal, and thereby enable him to place them in any part of the mill. Upon which he, Jonathan Ellicott, opened the bolting chest for the purpose of shewing the said screw to Oliver Evans, that he, Oliver Evans, on seeing the screw, observed that it was a valuable improvement, and was the very thing which he had been wanting, but heretofore had never been able to discover it, and that it would completely answer the purpose he, Jonathan Ellicott, had described. Oliver Evans further observed, he knew how to convey wheat and flour in a perpendicular direction, but never before knew how to convey it horizontally.

The above is substantially the import of what passed on that occasion, if not the precise words.

LEWIS EVANS.

Sworn and subscribed before me } the 8th day of December, 1812. }

True copy, OWEN DORSEY.

At the same time, personally, appeared John Ellicott, of John, who being duly affirmed, according to law, declared he was present at the time alluded to, in the above certificate, when the conversation between Jonathan Ellicott and Oliver Evans took place; and that the same is substantially true as therein stated, and that in consequence of Jonathan Ellicott's being the inventor of the application of the screw to the removing of flour, meal and wheat, the said Oliver Evans agreed that the said Jonathan Ellicott should have his permission to use the elevators and hopper-boy in all the mills in which he was interested, during the term of his patent obtained from the state of Maryland; and for which the said Evans gave a permit, under his hand and seal, and said Jonathan Ellicott agreed on his part, that the said Oliver Evans should have the right and privilege, during the same term, of using his invention of the application of the screw for the above purpose.

Affirmed to before OWEN DORSEY.
True copy

*To all whom it may concern:*

I Joseph Evans, of Baltimore county, in the state of Maryland, aged about fifty-nine years, do hereby certify that Jonathan Ellicott, some time before the year 1785 or 1786, informed me that he had invented several ways of conveying wheat, flour or other substance, in a horizontal, ascending or descending direction, to wit, by means of a spiral screw, by a band revolving round pullies or rollers, with blocks fastened on the band, which he called a drag, or by the subtance intended to be removed, falling on the top of a band, revolving on rollers or pullies, which was turned by the gravitation of such substance, which he called a descender. That in the year 1785 or 1786 I was employed by the said Jonathan Ellicott to execute the plan of a spiral screw for the purpose of conveying flour in the bottom of a bolting chest, from each end thereof to the centre, when the flour

was designed to fall through a hole in the flour chest below, that with the assistance of my brother Lewis Evans we executed the plan under his direction, and found it to answer the purpose completely. That afterwards I executed conveyors for the said Jonathan Ellicott in all the different ways abovementioned, that I have executed for him screws in all the ways I have ever seen since, both with iron and wooden flights, with both broken and continued spires; that I have never seen any plan of a screw which in my opinion was equal (for the purpose of conveying substances) to the one I first assisted in making.

That I have followed the business of a mill-wright during a considerable part of my life, and have seen, I believe, screws in all the different modes that have been made. JOSEPH EVANS.

Affirmed and subscribed to, before me, the subscriber, one of the justices of the peace, for Baltimore county, December 8th, 1812.

OWEN DORSEY.

A true copy from the original,

No. VI.

*To the Senate and House of Representatives of the United States.*

The memorial of the subscriber, an inhabitant of Chester county, Pennsylvania, respectfully represents—that your memorialist has discovered and applied a new, and, as he believes, a very beneficial improvement in the art of milling, by the application of wind to the purpose of conveying wheat and flour from one part of the mill to another; that the invention is different in principle from any discovery heretofore practised for that purpose; accomplishing the same end by less complex and expensive means, at the same time relieving the manufacturer from many of the inconveniences and objections that are justly attributable to the usual method by elevators, conveyors, &c. That your memorialist did, on the fifth day of March, one thousand eight hundred and ten, and on the nineteenth day of June, one thousand eight hundred and twelve, obtain from the patent office of the United States, where his specification is filed and model deposited, a patent, vesting in him the exclusive right to his invention, agreeably to the laws of the United States, in such cases provided, intending to sell the privilege to use said invention at the moderate price of thirty dollars for each mill, a sum that whilst it would not oppress any to pay, would amply remunerate him for all the time and expence employed in bringing to perfection an invention so beneficial to the community. But to the great mortification and disappointment of your memorialist, he finds that neither himself, nor his fellow-citizens, will be permitted to profit by the said improvement, if a certain Oliver Evans should succeed in a suit he has instituted against your memorialist, to recover damages for what he alledges an infringement of his exclusive right to the improvements in the art of milling, granted him by a law of congress, on the twenty-first day of January, 1808, and which, from late decisions in some of the courts of the United States, there appears too much reason to fear he will.

Your memorialist, therefore, prays that your honorable body will reconsider the law under which the said Evans claims his monopoly, and grant such relief as you, in your wisdom, may deem proper; and your petitioner will, &c.

JEREMIAH BAILY.

*East Marlborough, Chester county, Pennsylvania, December 6th,* 1813.

No. VII.

*Mars Works, Philadelphia, Oct.* 18, 1811.

SIR—I send you this to let you know that my patent cannot be evaded, more especially by the means you publish in your advertisement, of your patent wind machine, dated Sept. 7th; the principles of which I have known, and been well acquainted with ever since about the year 1787 or 1788, twenty-three years. If you wish to know who invented it so along ago, enquire of Mr. Jonathan Ellicott.

If you do not publish a counter advertisement, declaring that you will not put your machine into operation, having found that to be an infringement of my patent, and let me know it before I commence a suit against you, I will try what damages I can recover of you (and of every one who may use your machine) for the infringement; for I do assure you that I cannot believe that you were actuated by that laudable desire of making a useful impovement, because there was no need thereof; all that was necessary in the case was already discovered in use; but by a sordid and unjust desire to deprive me of my just rights, and which I hope to be able to prove to any court and jury, and to recover ample damages for the injury you have already done me and the millers also, by keeping them in suspence, expecting to get of you, perhaps, at a cheaper rate a license to use the principles of the improvement which I have patented, and which is so beneficial to them, and for which I have not yet charged more than three dollars for every $100 they may gain by their use. I candidly send you a copy of my patent that you may shew it to your counsel and take advice on it.

Sir, your obed't ser't,

OLIVER EVANS.

*Mr. Jeremiah Baily.*

No. VIII.

*Mr. Thomas Ellicott,*

SIR—Notice is hereby given to you, that the following act has been passed by congress:

*An act for the relief of Oliver Evans.*

Be it enacted by the senate and house of representatives of the United States of America, in congress assembled, That it shall and may be lawful for the secretary of state, on application in writing by Oliver Evans, to cause letters patent to be made out in the manner and form prescribed by the act entitled, "An act to promote the progress of useful arts, and to repeal the act heretofore made for that purpose," thereby granting to said Oliver Evans, his heirs, executors, administrators and assigns, for a term not exceeding fourteen years, the full and exclusive right and liberty of making, constructing, using, and vending to be used, his invention, discovery and improvements in the art of manufacturing flour and meal, and in the several machines, which he has discovered, invented, improved and applied to that purpose: Provided, That no person who may have heretofore paid the said Oliver Evans for license to use the said improvements shall be obliged to renew said license, or be subject to damages for not renewing the same: And provided also, That no person who shall have used the said improvements, or have erected the same for use, before the issuing of the said patent, shall be liable to damage therefor.*

J. B. VARNUM,
*Speaker of the house of representatives.*
GEO. CLINTON,
*Vice-President of the United States, and president of the senate.*

APPROVED. TH. JEFFERSON.

*January* 21, 1808.

*As congress appears, by this act, to have assumed as a fact, that Oliver Evans was the original inventor of the improvements for which he obtained his patent—it is for jurists to decide whether that point is open to enquiry in courts of judicature, without the assent of the plaintiff or his counsel.

On the 22d day of January, 1808, letters patent were granted to Oliver Evans, pursuant to the above recited act, securing to him an exclusive right in his original improvements in the art of manufacturing flour and meal, and in the several machines which he has invented or improved, and applied to that purpose, viz. his improved elevator, conveyor, drill, hopperboy and kiln-drier.

You are therefore hereby requested to pay for license to use those of his improvements which you have in use in your mills situate on Gwynn's falls, in the county of Baltimore, in the state of Maryland, at the following rates for the whole, exclusive of the kiln-drier.

The price of license for the whole patent term is the sum which is saved by their use in the expense of labor only for one year—estimating the wages and boarding of a miller at $300 per year, and allowing that for every 20 barrels of flour the mill will manufacture in 24 hours one hand is saved, or 300 dollars a year, which is equal to 15 dollars for each barrel manufactured in one day. Therefore multiplying the number of barrels the mill will manufacture in one day by 15, gives the price of license for the whole patent term. Supposing the mill to run 200 days per year.

| | | | |
|---|---|---|---|
| Mill-stones 7 feet diameter | will manufacture | 49 bbls. | per day. |
| 6 feet 6 inches | ditto | 42 | ditto |
| 6 feet | ditto | 36 | ditto |
| 5 feet 6 inches | ditto | 30 | ditto |
| 5 feet | ditto | 25 | ditto |
| 4 feet 6 inches | ditto | 20 | ditto |
| 4 feet 3 inches | ditto | 18 | ditto |
| 4 feet | ditto | 16 | ditto |

Your mill runs two pair of 7 feet stones at a time, and will manufacture ninety-eight barrels of flour in twenty-four hours, which, multiplied by 15, amounts to $1470, saved to you in wages and boarding of millers each year, if you use the whole. This sum with interest on it until paid, counting from the time you began to use the improvements, with my patent term, is demanded for license to use the whole, excepting the kiln-drier.

But after the expiration of sixty days from the delivery of this notice, if license be not purchased, an additional demand will be made of the interest on the whole sums saved you, in the wages and boarding of millers, as it accumulates, until license be purchased, counting from January 22d, 1813.

That is, you now owe me $1470 with 5 2-3 years interest, next year you will owe me the same sum with 6 2-3 years interest, and the interest on $1470 saved in that year and so on. The whole sum thus saved hereafter, goes on interest until you purchase license. You are allowed to retain the principal, paying interest thereon for the future use of the improvements until you purchase license.

But if you now choose to quit the use of them, and pay interest only up to the present time, it will be received in full payment for their past use. But if you refuse to comply with either of those terms suit will be commenced immediately.

If any circumstance exist to entitle you to a deduction, it will be made accordingly.

Elevating and conveying grain is deemed one-third part of the whole improvement.

Elevating and conveying meal one-third part.

Cooling the meal and attending the bolting hopper one-third part.

The price of license to use one-third part is half the whole.

The price of two-third parts is three-fourths of the price of the whole.

You use the whole improvements excepting the kiln-drier, and the price of license is $1,470, with the interest, from 22d January, 1808, the date of my present patent, until paid.

Those who have used my improvements to two pair of six feet stones, making 72 barrels of flour per day, have saved in wages and boarding of millers, 1080 dollars per year, which for five years expired of my patent term, is $5,400 00

Seventy-two barrels per day, for only 200 days per year, is 14,400 barrels per year, which at 50 cents gain each barrel (as was proved by the witnesses in the late trials at Baltimore, to be gained by making more and better superfine flour) is 7200 dollars per year, which for five years is 36,000 00

Total gained in five years $41,400 00

This calculation is made to show you, that you have gained enough already to enable you to pay for license, and to entitle me to my demand, even supposing your mill to work but two-thirds of each year.

OLIVER EVANS.

Delivered to on the day of requesting him to call on Nathaniel Williams, agent for Oliver Evans, for license.

The price of 98 barrels per day, multiplied by $15, is $1,470 00

Interest, from 22d January, 1808, up to October 22d, 1813, being five years and nine months, is 517 15

Interest on $1470, to be saved this year in labor, for nine months past, counting up to 22d October, is 66 15

$2,053 30

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## No. IX.

*Report of the committee, to whom were referred the memorials of John Worthington, and others, and Oliver Evans.*

In senate of the United States, Feb. 22d, 1813.

Mr. Bayard, from the committee to whom were referred the memorials of John Worthington and others, and of Oliver Evans, REPORTED:

That the subject of the memorials is of considerable interest and importance to the community, and involves difficulties which would require more time and patient investigation fully to understand, than can be bestowed upon it during the remnant of the present session.

The committee confine themselves to stating, that the grievance complained of by the memorialists first mentioned, proceeds from an act of congress, passed the 21st day of January in the year 1808, whereby a patent which had before that time been granted to Oliver Evans, for fourteen years, for certain mill machinery, and which had expired by its own limitation, was renewed and continued for fourteen years from the date of the act. It appears that in the interval between the expiration and renewal of the patent, several grist mills were erected, into which the use of Mr. Evans' machinery was introduced.

By a judicial construction of the act of congress, it is held to prohibit the use of the machinery after the passing of the act, without the licence of the patentee, although the mill and machinery were constructed when no patent or exclusive right existed.

It also appears that the price at which Mr. Evans rated his licenses before the act of 1808, for one water wheel, was from 30 to 40 dollars.

Since that act, his prices has been gradually augmented, and he now requires from 3 to 400 dollars, for the machinery used in the manufacture of flour, by each pair of stones of six feet diameter.

In a single mill having several pair of stones, a demand was made of 2,200 dollars for the use of the machinery.

The machinery is undeniably of great importance to the public, but the increased and increasing prices of the patentee, threaten the imposition of an intolerable burthen upon a very useful and important class of manufacturers.

The committee are not prepared to recommend any specific relief in the case, and conceiving that it deserves more attention than it can receive during the present session, consider that it would be advisable to abstain from acting upon the subject at this time, and to leave it to the maturer consideration of the ensuing congress. The following resolution is submitted:

*Resolved*, That the committee to whom were referred the memorials of John Worthington, and others, and of Oliver Evans, be discharged from the further consideration of the subject of the said memorials.

No. X.

We whose names are hereunto subscribed, being either practical millers or experienced in the manufacture of flour, having seen several statements made by Oliver Evans, tending to induce a belief that a much greater quantity of flour can be made from any given quantity of wheat, by the use of certain machinery, for which he has obtained a patent, than can otherwise be made—and being called on to state our opinions on the subject, we do hereby declare that from experience, we are of opinion that the machinery known by the name of Evans' machinery, *is only calculated to save manual labor*. In its application it merely conveys, in the first place, the wheat to the mill stones, where it is ground, and afterwards the meal to the bolting reel, where the flour and bran are separated, this is the whole agency this machinery has in the manufacture of flour, therefore the mill stones and bolting cloths being the only agents in separting from each other the constituent parts of the wheat, to wit, the flour and bran, it is evident, that if the wheat is introduced to the one, and the meal to the other, the means used to accomplish it, can make no difference in the quantity of flour that will be produced.

We do therefore without hesitation say that as great a quantity of flour of equal quality can be made from any given quantity of wheat without the use of the said machinery as can possibly be made with it.

JAMES OGLEBY,
SAMUEL BYRNES,
WILLIAM EVANS,
SHEPPARD & M'CONKY.
JOSEPH SCOTT.

*Baltimore, December* 10, 1813.

The names hereunto affixed are respectable millers, and men of integrity, veracity and honor in the city of Baltimore, whose declarations and signatures deserve to be received as coming from the best source of information on the subject alluded to.

EDWD. JOHNSON,
*Mayor of the city of Baltimore.*

Subjoined is a copy of the specification filed in the office of the secretary of state, upon which Oliver Evans obtained a renewal of his patent.

*To all whom these presents shall come, greeting:*

I certify, That the annexed is a true copy of a specification of inventions and improvements in the process of the art of manufacturing flour or meal, for which Oliver Evans obtained a patent, January 23d, A. D. 1808.

In faith whereof, I James Monroe, secretary for the department of state of the United States of America, have signed these presents, and caused the seal of my office to be affixed hereto, at the city of Washington, this twentieth day of November, A. D. 1812, and in the thirty-seventh year of the independence of the said states.

JAS. MONROE.

SPECIFICATION

Of Oliver Evans's inventions of improvements in the process of the art of manufacturing grain into flour or meal; and for other purposes.

My first principle is to elevate the meal as fast as it is ground, in small separate parcels, in continued succession and rotation, to fall on the cooling floor, to spread, stir, turn and expose it to the action of the air, as much as possible, and to keep it in constant and continual motion, from the time it is ground, until it be bolted; this I do to give the air full action, to extract the *superfluous moisture* from the *meal*, while the heat generated by the friction of grinding, will repel and throw it off, and the more effectually *dry* and *cool* the meal fit for bolting in the course of the operation, and save time and expence to the miller. Also to avoid all danger from *fermentation* by its laying warm in large quantities as is usual; and to prevent *insects* from depositing their *eggs* which may breed the worms often found in good flour. And further to complete this principle, so as to dry the meal more effectually, and to cause the flour to keep sweet a longer space of time, I mean to increase the heat of the meal as it falls ground from the mill-stones by the application of heated air, that is to say, I *kiln-dry* the meal as it is ground instead of kiln-drying the grain as usual. The flour will be fairer and better than if made from kiln-dried grain, the skin of which is made so brittle, that it pulverizes and mixes with the flour. This principle I apply by various machines which I have invented, constructed and adapted to the purposes hereinafter specified, numbered 1, 2, 3, 4, 5.

My second principle is to apply the power that moves the mill or other principal machine to work my machinery, and by them to perform various operations, which have always heretofore been performed by manual force; and thus greatly to lessen the expence and labor of attending mills and other works.

The application of these principles, including that of kiln-drying the meal, during the process of the manufacture or otherwise to the improvement of the process of manufacturing flour and for other purposes, is what I claim as my invention and improvement in the art, as not having been known or used before my discovery, knowing well that the principles once applied by one set of machinery to produce the desired effect, others may be contrived and variously constructed, and adapted to produce like effects in the application of the principles, but perhaps none to produce the desired effect more completely than those which I have invented and adapted to the purposes, and which are hereinafter specified.

No. 1.

THE ELEVATOR.—Its use is to elevate any grain, granulated or pulverized substances. Its use in the manufacture of flour or meal, is to elevate the meal from the mill-stones, in small separate parcels, and to let it fall through the air on the cooling floor as fast as it is ground. It consists of an endless strap, rope or chain, with a number of small buckets attached thereto, set to revolve round two pullies, one at the lowest, and the other at the highest point between which the substance is to be raised, the

buckets fill as they turn under the lower, and empty themselves as they turn over the upper pulley; the whole is enclosed by cases of boards to prevent waste.

No. 2.

THE CONVEYOR.—Its use is to convey any grain granulated or pulverized substances, either in a horizontal ascending or descending direction. Its use in the process of the art of manufacturing flour, is to convey the meal from the mill-stones as it is ground, to the elevator, to be raised and to keep the meal in constant motion, exposing it to the action of the air; also in some cases to convey the meal from the elevator to the bolting-hopper, and to cool and dry it fit for bolting, instead of the hopper-boy, No. 3; also to mix the flour after it is bolted; also to convey the grain from one machine to another, and in this operation to rub the impurities off the grain. It consists of an endless screw, set to revolve in a tube or section of a tube, receiving a substance to be moved at one end, and delivering it at the other end, but for the purpose of conveying flour or meal, I construct it as follows: instead of making a continued spiral which forms the endless screw, I set small boards called flights at an angle crossing the spiral line, these flights operate like so many ploughs following each other, moving the meal from one end of the tube to the other, with a continued motion turning and exposing it to the action of the air to be cooled and dried; sometimes I set some of the flights to move broadside foremost, to lift the meal from one side, to fall on the other, to expose it to the air more effectually.

No. 3.

THE HOPPER-BOY.—Its use is to spread any grain, granulated or pulverized substances over a floor or even surface, to stir and expose it to the air, to dry and cool it when necessary, and at the same time, to gather it from the circumference of the circle it describes, to or near the centre, or to spread it from the centre to the circumference, and to leave it in the place where we wish it to be delivered, when sufficiently operated upon. Its use in the process of manufacturing flour, is to spread the meal as fast as it falls from the elevator over the cooling floor on the area of a circle of from eight to sixteen feet, more or less, diameter, according to the work of the mill, to stir and turn it continually, and expose it to the action of the air, to be dried and cooled, to gather it into the bolting-hoppers, and to attend the same regularly. It consists of an upright shaft made round at the lower end, about two thirds of its length, and set to revolve on a pivot in the centre of the cooling floor; through this shaft, say five feet from the floor is put a piece called the leader, and the lower end of the shaft passes very loosely through a round hole, in the centre of another piece, called the arms, say from eight to sixteen feet in length, this last piece revolving horizontally describes the circle of the cooling floor, and is led round by a cord, the two ends of which are attached to the two ends of the arms, and passing through a hole at each end of the leader, so that the cord will reeve to pull each end of the arms equally. The weight of the arms is nearly balanced by a weight hung to a cord, which is attached to the arms, and passes over a pully near to the upper end of the upright shaft, to cause the arms to play lightly, pressing with only part of their weight on the meal, that may be under it. The foremost edges of the arms are sloped upwards, to cause them to rise over and keep on the surface of the meal as the quantity increases, and if it be used separately and unconnected with the elevator, the meal may be thrown with shovels, within its reach while in motion, and it will spread it level and rise over it until the heap be four feet high or more, which it will gather into the hoppers, always taking from the surface, after turning it to the air a great number of times.—The underside of these arms, are set with little inclining boards, called flights, about four inches apart, next the centre, and gradually closing to about two inches next the extremities, the flights of the one arm to tract between those of the other, they operate like ploughs, and at every revolution of the machine they give the meal two turns towards the centre of the circle, near to which is generally the bolting-hopper. At each extremity of the arms there is a little board attached to the hindmost edge of the arm to move sideforemost; these are called sweepers, their use is to receive the meal as it falls from the elevator, and trail it round the circle described by the arms that the flights may gather it towards the centre, from every part of the circle; without these, this machine would not spread the meal over the whole area of the circle described by the arms; other sweepers are attached to that part of the arms which pass over the bolting-hoppers to sweep the meal into them.

But if the bolting hoppers be near a wall, and not in the centre of the cooling floor, then in this case the extremity of the arms are made to pass over them, and the meal from the elevator let fall near the centre of the machine, and the flights are reversed to turn the meal from the centre towards the circumference, and the sweepers will sweep it into the hoppers. Thus this machine receives the meal as it falls from the elevator on the cooling floor, spreads it over the floor, turns it twice over at every revolution, stirs and keeps it in continual motion, and gathers it at the same operation into the bolting hoppers and attends them regularly. If the bolting reels are stopped this machine spreads the meal and rises over it, receiving under it from one, two or three hundred bushels of meal, until the bolts are set in motion again, when it gathers the meal into the hoppers, and as the heap diminishes it follows it down until all is bolted. I claim as my invention the peculiar properties or principles which this machine possesses, viz. The spreading, turning and gathering the meal at one operation, and the raising and lowering of its arms by its motion to accommodate itself to any quantity of meal it has to operate on.

No. 4.

THE DRILL.—Its use is to move any grain, granulated or pulverized substances, from one place to another; it consists, like the elevator, of an endless strap, rope or chain, &c. with little rakes instead of buckets (the whole cased with boards to prevent waste) revolving round two pullies or rollers. Its use in the process of the manufacture of flour, is to draw or rake the grain or meal from one part of the mill to another, it receives it at one pully and delivers it at the other, in a horizontal, ascending or descending direction, and in some cases may be more conveniently applied for that purpose than the conveyor.*

I claim the exclusive right to the principles and to all the machines above specified, and for all the uses and purposes specified as not having been heretofore known or used before I discovered them. They may all be united and combined in one flour mill to produce my improvement on the art of manufacturing flour complete, or they may be used separately for the purposes specified and allotted to them or to pro-

* This machine was invented, applied and shown, in operation, to Oliver Evans, at Ellicotts's mills, on Patapsco, about the year 1786. It was then called a drag.

duce any improvement in part, according to the circumstances of the case.

No. 5.

THE KILN-DRYER.—To kiln-dry the meal after it is ground and during the operation of the process of manufacturing the flour. I take a close stove of any common form and enclose it with a wall made of the best non-conductor of heat, leaving a small space between the stove and the wall, to admit air to be heated in its passage through this space; I set this stove below the conveyor that conveys the meal from the mill stones as ground into the elevator, and I connect the space between the stove and the wall to the conveyor tube by a pipe entering near the elevator, and I cover the conveyor close and set a tube to rise from the end of the conveyor tube near the mill-stones for the heated air to ascend and escape up a chimney; I make fire in a stove and admit air at the bottom of the space between it and the wall round it to be heated and pass along the conveyor tube, meeting the meal which will be heated by the hot air and the superfluous moisture will be more powerfully repelled and thrown off, and the meal will be dried and cooled as it passes through the operation of the elevator and hopper-boy. The flour will be fairer than if the grain had been kiln-dried, and it will keep longer sweet than flour not kiln-dried.

I set all my machines in motion by the common means of cog and round, tooth and pinion, straps, ropes or chains, well known to every mill wright.

ARRANGEMENT and CONNECTION of the several machines so as to apply my principles to produce my improvements complete.

I fix a spout through the wall of the mill for the grain to be emptied into from the waggoner's bag to run into a box hung at the end of a scale beam to weigh a waggon load at a draught. From this box it descends into the grain elevator which raises it to a granary over the cleaning machines, and as it passes through them it may be directed into the same elevator to ascend to be cleaned a second time, and then descend into a garner over the hopper of the mill-stones to supply them regularly, and as ground it falls from the several pair of mill-stones into the conveyors where it is dried by the heated air of the kiln-dryer, and is conveyed into the meal elevator to be raised and dropped on the cooling floor, within reach of the hopper-boy, which receives and spreads it over the whole area of the circle which it describes, stirring and turning it continually and gathering it into the bolting hoppers, which it attends regularly. That part of the flour which is not sufficiently bolted by the first operation is conveyed by a conveyor or drill into the elevator to ascend with the meal to be bolted over again, and that part of the meal which has not been sufficiently ground at the first mill-stone to be ground over.

Thus the whole of the operations which used to be performed by manual labor is from the time the wheat is emptied from the waggoner's bag, or from the ship's measure until it enters the bolts, and the manufacture be completed in the most perfect manner, performed by the machinery moved by the power which moves the mill, and this machinery keeps the meal in constant motion during the whole process, drying and cooling it more completely, avoiding all danger from fermentation and preventing insects from depositing their eggs, and performing all the operations of grinding and bolting to much greater perfection, making the greatest possible quantity of the best quality of flour out of the grain, saving much time and labor and expence to the miller and preventing much from being wasted, the motions of the machines being so slow as to cause none of the flour to rise in form of dust and be carried away by the air, and the cases of the machines being made close prevents any from being lost.

OLIVER EVANS.

Witnesses,
SAML. H. SMITH,
JOS. GALES, junr.

END OF THE ADDENDA.

☞ It ought to have been observed, prefaratory to the matter of this "ADDENDA," that it issued on the principles that guided the editor in publishing the statements of Mr. *Evans*, with the 3d volume of this work. The affair in controversy is of high interest to the public; and each publication will receive an attentive perusal.

# THE WEEKLY REGISTER.

SECOND ADDENDA TO VOLUME V.

*Hæc olim meminisse juvabit.*—VIRGIL.

Printed and published by H. NILES, South-st. next door to the Merchants' Coffee House, at $ 5 *per annum.*

## A Trip made by a small man in a wrestle with a very great man.

*Answer to the Baltimore Miller's Memorial, and Thomas Jefferson's Letter.*

The honorable Thomas Jefferson reasons speculatively in his letter published with the memorial of Isaac M'Pherson, Elisha Tyson, Thomas Ellicott, and others, in Niles' Baltimore Register, and in a pamphlet laid before congress, and draws this conclusion, viz. "invention then cannot in nature be a subject of property."

In answer to this train of reasoning, to which I must refer the reader, we will premise that all visible subjects of property, whether fixed, as land, or movable, such as wild beasts, fowl, fish, &c. and the spontaneous productions, while in a state of nature, are common property. The whole is the property of the community, because it is visible, it can be found and claimed, and each individual has equal right to it. He that settles on a piece of land to cultivate and improve it, has exclusive property in it and its produce while he occupies it, because his time, his thoughts, and his labor are spent on it; but, if he removes from it, it then devolves again to the community, another may take and use it; but if the community agree to sell their land, he that pays the price has exclusive property in the quantity he pays for, in fee simple forever. He that can take any part of the movable subjects, such as wild beasts, fowl, fish, &c. or spontaneous productions of the soil, &c. has, by common consent, and natural right, exclusive property in whatever he can take; because his time, exertions, and labor, have been expended to take them; he has shown acts which vests the property in him.

But a man's ideas and inventions, are, by natural law, his own exclusive property; he need show no act to vest the property in him so long as he keeps them secret to himself; and that for the same reasons above stated, his time and the labors of his mind have been expended in conceiving, maturing and arranging them; they may have cost him very dear (the writer well knows by experience) and may be very useful to him in many cases, without being made visible by being connected with matter to produce operative machines or useful improvements in the arts, and further, because they cannot be a subject of common property while they are invisible, existing only in his own brain, where the community cannot discover them nor know what they are, or whether they exist at all; therefore can lay no claim at all to them, or have any property in them; and if the conceiver, the possessor, the exclusive proprietor, of an useful train of ideas, inventions, or knowledge, knows that the community stand ready to seize them, to make them common stock as soon as he discloses them, he will take care to keep them secret and hold his exclusive possession of them as long as he needs the exclusive use. Can Mr. Jefferson (or the memorialists) devise the means of discovering that they do exist, or to force him to divulge them, that they may get possession of them to support his arguments, by shewing that they have made them common property, free to the whole community; that they may have the right, either to give them back to the inventor for a limited time to encourage him or not, as they please, without complaint from him; if not, Mr. Jefferson's argument falls, the foundation is taken away.

It is this erroneous doctrine, (which he seems lately to have adopted) this species of injustice that has caused inventions and discoveries to be kept secret and been the cause of the slow progress of the arts, and entailed human misery from the beginning of the world to this day. For there are few such patriots as Mr. Jefferson: a man must be a patriot indeed, if he will divulge the discovery he has made, at great expense, the only thing perhaps which he possesses exclusively, by which he can make a comfortable living. If he knows that he will be insulted, abused, and robbed, by the very persons that he shall benefit by the disclosure, (for envy and malice are universally excited against the inventor,) while he lives, and unless he can soar above their reach he will suffer; the truth of which is well known to all that are in, or have passed through that degraded state. To be sure, the inventor received his gift from an inexhaustible source, the God of nature; who may give the same discovery to any other that may as much need it, to enable him to get a comfortable living, but he too may be as deeply interested in keeping it a secret, and hold as tenaciously his exclusive right. Let not this sentence excite the hopes of the memorialists, for such gifts are never bestowed on those who

would rob an inventor of his right. We believe most sacredly, that a spirit of patriotism pervades the breasts of the possessors of those gifts, and they will offer them to the public, and part with their exclusive right to them, on reasonable terms; but if they are once induced to disclose, and then be deceived by the public, they will be justified in withholding such offers in future, until they can secure better terms for themselves. Thus it appears, that instead of Mr. Jefferson's conclusions being correct, viz. "inventions then cannot in nature be a subject of property," it is quite the reverse; for there is nothing that a man has by nature exclusive property in but his ideas and inventions, and these only are exclusively his, for it is impossible that others can have any property in them. This is a self-evident truth. Nor is there any person that can wrest such property from him, unless he by his own act, either discloses them or attaches them to matter, to improve some art, machine, or manufacture, thereby making them visible, and giving the community the power to seize them, disclosing them in any way, does neither lessen his right nor increase that of the public. Nor does he, by holding his exclusive right, monopolise any thing that ever existed. Is it not time then that the public, the world, should discover the error palmed on them by the self-interested and unjust, and cease to attempt what cannot be accomplished, viz. to make the ideas and inventions of man, free to all, "like the air we breathe; like fire, expansible over all space," (Jefferson) and try the experiment of offering such protection as will purchase them.

As to the other points discussed in Mr. Jefferson's letter, viz.

1. Oliver Evans' right to a patent for the exclusive use of elevators (or the string of buckets, pots, or cups) the conveyor (or Archimedes screw) and the hopperboy. On this subject he has been deceived, (we think designedly) for there was no need of turning to his books, to prove that Mr. Evans did not invent what he has not patented, nor does he claim; his patent being for his improvement in the art and manufacture of flour, and not for machines. The string of buckets, Archimedes screw, the drill plough, are as free as they ever were to the public, and are no improvement in the art or manufacture of flour, and if Mr. Jefferson had found the elevator, conveyor, hopperboy, and drill, all perfect in his books, exactly as Mr. Evans had described them in his specification, it would not lessen Mr. Evans' right to his patent, had he taken them from the same books, and improved, arranged, and combined them, to carry into operation the great result, his great improvement on the art and manufacture, which presses so heavily on the shoulders of those citizens of the United States (certain millers near Baltimore) he had a right so to do, he has as good a right to use them as any other person.
2. The act for the relief of Oliver Evans. The question was fully discussed before judges Washington and Peters, Philadelphia; and judges Duvall and Huston, Baltimore; and in both cases was decided to have no retrospective operation. Mr. Evans is glad Mr. Jefferson was not the judge; for it would have been a cruel unjust decision, if it had been decided that after congress had declared that the right to a patent *belongs to the original inventor*, and he had spent his all and reduced himself to poverty to get it disseminated; yet, because Thomas Jefferson, when secretary of state, issued to Mr. Evans a patent, informal, and not according to law, and which the court was obliged to declare void, therefore Oliver Evans has lost his right to his improvement, and lost the labor of the prime of his life, and must remain in poverty; and it now belongs to the memorialists who took the opportunity of seizing on it, when they thought there existed no law to prevent them, and of laying it as a *burden on their shoulders*, and when invited by Mr. Evans to lay it off, or pay him his old price of forty dollars, with interest, from the time they should have paid it, as their neighbors had done; they refused to do either, and although they now apply to congress to rid from the shoulders of the people of the United States *(the Baltimore millers)* the oppressive burden, yet they so love it, that they cling to it like *savages*, do to their cloaks, when assailed by the north-winds.
3. The rules established by the board of commissioners, under the first act of congress to promote the useful arts, of which Mr. Jefferson was the principal or leading member. We believe they were very bad indeed, for they would have refused patents for the most useful discoveries and inventions, of the utmost importance, that cannot be put in operation by the inventor for less than thousands of dollars expense. Under such rules there could scarcely be an improvement entitled to a patent. This shows the danger of entrusting such power to such a board, who cannot possibly be judges of the merits of an invention, until they see it in operation, and not even then, without experience in both the old and improved plan, for a considerable time.
4. The whole of the pamphlet of the memorialists, consisting of affidavits taken ex parte, goes to prove that O. Evans did not invent what he does not claim, and are as unnecessary as the letter, and were never produced in court, where they would have been rebutted, can be as promptly answered

and completely refuted, as the letter has been. But it is unworthy of the public ear, further than to state that the testimony of the Stoufers and others in the case of Chambers, was not read in court, or it might have been proven that Chambers had changed the form of his hopperboy before the witnesses saw it, and Christian Stoufer has paid for licenses and did not then say that he was the inventor. That the memorialists have taken care to publish none of the testimony given in court, at the great trial at Baltimore, which lasted four days, and in which they were defeated on the testimony of their own witnesses, although they had engaged in their defence four of the most eminent lawyers. And that Lewis Evans, John Ellicott, and Joseph Evans were present in court, why did not they take their testimony there, in support of the testimony of Jonathan Ellicott, which was the same, but which Mr. Evans knew could not affect the cause, and let it pass; and so it is reported that it was proved Jonathan Ellicott was the inventor of the conveyor, although Mr. Evans had witnesses present to have proved to the contrary, and which he will do, perhaps, if ever they attempt to prove it in court again, if he and his witnesses live; true, three-fourths of them are deceased. And that Mr. Evans specified in his first specification, 1790, the very blowing machine patented by Jeremiah Baily, so that he could have no right to patent it in 1810, to destroy Mr. Evans' patent. That a Mr. Vulgamot has taken out a patent for another machine to elevate, specified by Mr. Evans. A third has altered the formation of the hopperboy, and taken out a patent, all are sued. One circumstance however deserves to be mentioned particularly. They have published in their No. 2 the certificate of James Stroud and Edward Marshall, which they obtained, as is stated in an after certificate given to correct this. They had written it and presented it for signature, holding forth the idea, that its purport was, that the certificate of Samuel Stroud was correct, when he had said, that things were as he believed, so and so, viz. that Samuel thought and believed as he had certified, which Stroud and Marshall signed on condition that they should next day be furnished with correct copies of both Samuel Stroud's and their own certificate. But before they furnished Stroud and Marshall with the copies, they went before a notary public, and affirmed that the certificate was voluntarily signed, and they published both certificates, laid them before congress, and published them in the newspapers, accusing Mr. Evans with the same crimes of having by such means obtained false testimony of James Stroud and Edward Marshall (men whose integrity is unimpeachable) the very crime that they had perpetrated. But as soon as Stroud and Marshall could get copies of the certificates, which was sixteen days after given, they saw that their certificate would be construed entirely opposite to what they intended, and they with due deliberation made out another, which Marshall signed, and Stroud travelled with it thirty-two miles to Philadelphia, and signed and affirmed to it before a notary public, and delivered it to Mr. Evans. See this certificate in the report of the law case, page 15, published by Niles in the Baltimore Register, a copy of which report has been delivered to each member of congress in the winter of 1812, at the close of the session; which will show that deception and imposture is the fort by which they defend their precious cash. This one act will shew the true color of the whole of their transactions; they have certainly misrepresented to an extent sufficient to excite the just indignation of the best, the most feeling, the most just, and the most eminent men, such as Mr. Jefferson is acknowledged to be, against Mr. Evans. And no wonder, for how could their representations be doubted when backed by at least fifty men, already made rich by elevators and hopperboys, respectable both for wealth and numbers; surely they were quite certain, that congress, indignant at such oppression and extortion as they had charged Mr. Evans with, would, without hesitation, repeal the act for his relief. They knew that congress could not spend four days to hear the case, as the court had done, and that by wealth and numbers, they expected they could easily bear Mr. Evans down. But their having fled from a court of justice to congress for relief, bore a suspicious aspect; they could not get congress to act as promptly as they expected—and they are so far disappointed, and have obtained leave to go home.

"The committee to whom was referred the memorial of sundry inhabitants of Maryland, on the subject of the patent granted to Oliver Evans, for his improvements in machinery employed in the manufacture of flour, beg leave to report:

"That the memorialists complain, that by virtue of the act passed on the 21st January, 1808, intitled "an act for the relief of Oliver Evans," the said Oliver Evans claims the benefit of certain improvements in the machinery employed in the manufacture of flour, of which he is *not the original* inventor. That he exacts large and unconscionable sums for the use of those improvements; and that those are compelled to pay, who have established their improvements before the passing of the said act.

"Your committee conceive it not only re-

pugnant to the principles of a government organised like ours, to permit a question, of a character such as the first objection presents, to be litigated before the legislature; but it is impossible that a fair decision can be made, when it is indispensable, in order to render impartial justice, the parties should be permitted to go into evidence respecting the facts in controversy. A court of justice is the proper tribunal where such questions ought to be tried; and your committee are informed, that this very question has already been settled in that way by the circuit court of the United States, for the Maryland district, favorable to the pretensions of the said Evans.

"The second subject of complaint seems, to your committee, equally an improper subject for the interference of the legislature. The patentee, by law, has an *exclusive privilege* to use his invention as he pleases. No person has a right to complain, if the proprietor of an invention demand a sum deemed exorbitant, more than if such a demand has been made for any other species of property; it must rest with the purchaser whether his interest will permit him to yield to it.

"The third ground of complaint is equally untenable in the opinion of your committee. The legislature had the power (and it seems in this case they have exercised it) to subject those who should *use* the improvements mentioned, *in future*, to the claim of the said Oliver Evans. The patent originally granted to him had previously been declared void by a judicial decision. The case, therefore, stood as if no exclusive right had ever been granted; and it is certainly not necessary to prove, that a person who uses a new improvement before a patent is granted, is subject to the restrictions which follow the grant. Your committee, therefore, submit the following resolution:

"*Resolved*, That the prayer of the memorial ought not to be granted."

And surely they cannot complain, for they have had full scope for their art and intrigue. They first persuaded Samuel Robertson who owed but one hundred dollars *(and who was not one of them)* to stand as the ostensible defendant, to rake the chesnuts out of the embers for them to eat. The Tysons were deemed to be the real defendants and they called on the Ellicotts to be witnesses, all of them the most deeply interested perhaps of any millers in the United States. And when fairly beaten, they left Mr. Robertson in the lurch to pay damages and costs. Witness the following letter of Mr. Robertson to Mr Evans (written after his fingers were burnt.) And they have since been heard by four committees of congress, all this to get clear of paying what just and liberal men have paid freely, viz. not more than one hundredth part of what they have gained by the use of the improvement. They complain that the gains have gone into the hands of the farmers, but these men in particular have had the fifty cents per barrel for twenty years before any part went to the farmers, besides half the labor saved.

[S. ROBERTSON'S LETTER.]

*Baltimore, Dec. 23, 1812.*

DEAR SIR,

Of the result of the trial lately had of a cause in the circuit court, in which you were plaintiff and I was defendant, it is presumed you are apprised. The object of the present address is to procure a deduction from the present amount of damages, which the jury, from the testimony before them felt themselves bound to assess. You will not, it is presumed, be at all astonished at the singularity of this application, when the following facts are made known to you.

Some time after the claim for compensation for the use of your invention had been made through your agent or counsel, N. Williams, esq. of Baltimore, I repaired to that place with money for the purpose of discharging the claim under an impression that it was your right, and sensible of the advantages which were derived from the use of the machinery then applied to the milling business by me. My intention became known to other persons similarly situated, who used arguments and referred me to the opinions of others to show that you were not entitled to the compensation demanded; and wholly through persuasion I came into their views and consented the suit might continue. I only summoned a single witness, Mr. Samuel Howard, by whom I expected to prove the length of time the elevators had been used in my mill, and that witness was not sworn in the cause, although the greater part of the costs accrued in the case appear to be for witnesses who attended without my knowledge or direction. My residence is remote from Baltimore, at and near which place many of the persons who were then contending your right reside. My name unfortunately headed the list of defendants, and I was not even present at the trial.

In addition to the above, I assure you, sir, that the judgment will bear peculiarly heavy on me; and in fact, that it will nearly go to deprive me of the only means of supporting a rising family. Under these circumstances, with the advice of several gentlemen who know your character and situation in life, I hesitate not to appeal to your feelings. The respectable jury who decided the cause, being impressed with the propriety of this application, have voluntarily offered their signatures to give to it the greater effect if you require it.

I am, sir, respectfully,

Your obedient humble serv't,

(Signed) SAMUEL ROBERTSON, 3d.

Mr. Evans answered, that if he could believe it possible, that those men, viz. Elisha Tyson and son, and others, who were the real

defendants and their associates have deserted him, his application should not have been in vain, but as he could not believe it, he referred him to them, offering however to pay as much on an average as any six of them would subscribe, so as not to exceed in the whole the amount of the damages and costs; but on future and repeated applications, being convinced that Mr. Robertson had been totally deserted by his pretended friends he agreed to accept the repeated offer of $1,000 in lieu of $1,850 which he had been allowed by law to treble, but did not, fearing that it might cause them to desert Mr. Robertson; yet have they out-witted both him and Mr. Robertson.

Now if each member of congress could be informed of the true facts, that Elisha Tyson of Baltimore, has been the prime mover of all complaint from Baltimore, although he has been making 72 barrels of flour per day for 22 years, and has had the 50 cents per barrel by making more superfine flour besides half the labor saved, all by the use of the improvement, as proved by witnesses in court, amounting to $180,400 in that time, by a fair calculation.

That when Mr. Evans called on him about the year 1789, to pay $33 for each pair of 6 feet mill-stones for use of his improvement, Elisha exclaimed, that it was a most extortionable price; that he would never pay; that he would defend by law to the utmost extent; that he would pay $12 1-2 per pair and no more. Mr. Evans being then too poor to bear the expense of such a law suit, and having given his improvement gratis to many, thought best to accept his offer, and gave him a license as he required, as if he had paid $66 for two pairs, although he had paid but $25; but Elisha promised to be very friendly and keep the fraud secret.

That in 1811, Elisha, by letter, inquired of N. Williams, esq. counsel and agent for Mr. E. whether Mr. E. had any claim, and if any, what was his price for license to use his improvements to 6 pair 6 feet mill stones, setting up on Susquehanna. Mr. E. answered by letter, $300 for each pair 6 feet stones for five pairs, to be paid as fast as they were got to work, but that no charge should be made for the 6th pair, they would then average $250 per pair each for 6 pairs.

When Elisha received this answer, he went to Washington and charged Mr. E. with the greatest extortion; that he had demanded of him $2,400 for one mill, whereas it was but $250 for one mill of 6 feet stones, or $1,500 for 6 mills. When he returned to Baltimore, he met Mr Evans in the long room at Mr. Gadsby's, and there charged him with extortion, declaring that he had discovered what no other man knew, viz. the means of breaking the patent, which he declared he would do unless Mr. E. would take reasonable prices; but Mr. E. supposing that Elisha meant by reasonable prices $12 1-2 per pair for 6 feet stones, would not compromise, but preferred that Elisha should try to break the patent, when he went out declaring that he would do it. He was followed by Evan Evans, a brother of the patentee, to try to effect a compromise; when after some conversation more friendly, Elisha declared to Evan that he could break the patent, but that his principles did not admit of litigation. That if Oliver would grant, him and his sons license free of costs for all the mill stones they were about to set up, he would keep a perfect secret what he had discovered, and would not break the patent!! When the proposition was made to Mr. Evans, he repelled it with indignation, and Elisha went his way, and appeared as the active agent for Samuel Robertson and others, procuring the cause to be continued from court to court, and directing the summoning of witnesses, instructing defendant's counsel, &c. originating combinations, memorials, &c. &c. See the report of the case. They have attempted many deceptions to mislead. 1st. They say O. E. has patented what he has not.—2d. They exaggerate his price of license.—3d. They depreciate the value of his improvement by the certificate of a set of millers who may know no better, but the Tysons and Ellicotts all knew better than to sign such certificate, to show that more superfine flour cannot be made by the improvement than without it. They know that Thomas Ellicott, the uncle of the present Ellicotts, has said in the Millwright's Guide, 2d edition, page 287: "That taking a large quanti y we can make 2 or 3 lbs. more out of a bushel of wheat, by the new than the old way, although it be equally well ground, because it is so much more completely bolted with less waste."

This is saying far more than the patentee calculates on, for he says only that 28lbs. more superfine flour, and less middlings, stuff and bran, can be made to each barrel of flour. which is true. 4th. They say that the patentee is not the inventor, while they know that he is: their misrepresentations are too numerous to be mentioned.

If congress and the people were fully informed of the intense labor of mind, expense of time and money, inventors generally bear in discovering and maturing their improvements, and the greater difficulties they have yet to encounter to get them disseminated and introduced into general use, they would see the propriety of granting them protection in their rights for a longer term, and acknowledge their right of claiming a price for their licenses to use their improvements, in greater proportion to the benefits of their use, than the memorialists make complaint of, viz: 1-3. partas having been charged by the patentee for the improvements in the manufacture of flour

These improvements were discovered, planned and arranged, by the patentee by a long, tedious, and laborious study, while living in Queen Ann's county, Maryland, in the years 1782 and 1783. He left that place in 1783 and began to prepare to build his mill in New-Castle county, Delaware; but before he left Maryland or began his mill, he communicated to several persons, some of whom are yet living, that he had discovered the whole improvements, and that he would build a mill that should take the grain from the waggon, elevate and convey it to any part of the mill, pass it through the cleaning machines, bring it into the mill stones, and as ground, it should convey the meal from the several pair of mill stones and elevate it to the meal loft, convey it to any part thereof, spread it over the floor, and stir it about to cool, and gather it to the bolting hopper, and attend it regularly; the tail flour should be elevated to be bolted over, the whole to be done by the power of the water wheel from the time the grain leaves the waggoner's bag until it be completely manufactured into flour and ready for packing. All this can yet be proved in court, that it was communicated before the mill was began, and which no one could then credit, unless fully explained to them, because nothing of the kind was ever heard of before. Now let the reader judge, if before such testimony, every petty claim to the invention of conveyors and drills, in 1786, by Jonathan Ellicott, and of hopper machines by others after the patentee had petitioned the legislature for exclusive rights, in February and March, 1786, will not disappear before a court of justice, as a drop of snow in a fountain of pure water, should it claim to be the original source, as they have done in 1812, 29 years after the original invention.

Again if we consider that a man who never saw a jack plane, simple as it is, cannot use it; he will throw it aside as useless, and take a drawing knife to smooth a piece of timber, if he has before used one, and cannot be persuaded to learn to use the plane. Then it cannot be supposed that such an improvement as described, could be produced by accidental thought, and carried into operation without expense; nor could it have been introduced into general use without great expense, unless the patentee had been vested with the authority that a master has over his apprentices; he gives the boy a jack plane, and compels him to work with it until he learns the use of it. With such authority a patent might be productive of profit even in 14 years, that is, if the patentee could both compel to use and to pay him for the use, then if he overcharged, the memorialists might, with propriety, complain of oppression and extortion.

The truth is, that it was with great difficulty and expense that the invention was matured: it certainly required much more to disseminate it and get it into general use. The patentee, or his agents, travelled, say 500 miles at a stretch, spending their money and time, offering the improvement gratis, to the first who should adopt it in a connty, before they could find one to accept on those terms. There were no claimants of the invention in those days, no hopperboys, conveyors or drills to be found, nor inventors thereof. The profits and honors were not worth disputing about. The patentee and his agents were ridiculed as fools by the very class who now complain; but they persevered with a hope of reward in the future. One of the agents has no doubt that he has travelled on that business one hundred thousand miles in fourteen years, from state to state, and mill to mill.

The patentee expended three years writing the Millwright's Guide, to explain the improvements, and reduced himself to a state of real indigence; all that was got from the just and liberal was expended in this way, and the time was lost. And when he attempted to put the law in force, to compel the memorialists or such men to pay, his patent was declared void, while he supposed $10,000 was due him, and he was left in poverty. Now the memorialists say that it was unjust in congress to grant him a good patent, that his $10,000 and whole right were forfeited by the error of Thomas Jefferson, who was the United States' officer, and no fault to be imputed to the inventor. Let justice judge, between him and them, of their complaints of his rise of prices.

He first offered them his improvement gratis. It was not worth setting up. Then at thirty-three dollars. They would not pay. Then at forty dollars. It was quite too high. But many had seized on it, and were using it, others as soon as they supposed the right lost, set the machines to work.

When he obtained a good patent, they were all offered license at the former price, $40, with interest from the time they should have paid as their neighbors had done. Very few complied, although notice in public papers and by the agents calling, that the price would be raised to $100 the first year, then to $200 for the next year, then again to $.00, for a mill making twenty barrels flour per day, where a hand and a half is saved, viz: the price of their wages and boarding for one year. They still refuse to pay, and think it easier to sign memorials, in which they have had no mercy on the patentee. They revive every injurious report long ago refuted in courts. It did not, perhaps, strike them, that having had the use of the improvements from six to twenty years, which saved them $300 per year in wages and board of a miller all that time, did enable them to pay $300 now easier than $40 at first. That their neighbors who had paid,

think they should pay too; that they by refusing, increased Mr. Evans' expenses, and justifies him in recovering all expenses, costs, and charges of lawsuits, and loss of his time, by raising the price of his licenses; that he has no other way to do, except he sues them, and then the jury will find that they have seized on his property, and are holding forcible possession, they will award him the full annual rent of his machines or improvement, for the whole time they have so forcibly used it, and not the interest on the rent only, as he offers to take. If they had seen all this, they would have preferred to have done as Thomas Jefferson did. As soon as the demand was made he enclosed the money in a letter, stating that he was glad of the opportunity of paying for so useful an improvement, as he wished to reward the inventor, and encourage genius, although he doubted the right to make the demand.

If congress could be informed of the many pretenders there are to the invention of every useful thing that the patentee or any other, ever got into useful operation, of the vexations, slanders, and abuse imposed on them, they would turn a deaf ear to the memorialists, refer them to the courts of justice, and grant such protection to inventors as is necessary to enable them to withstand the attacks of such a host of enemies, who would seize on his inventions while he lives, but after his decease, and they be in full possession, they would give Oliver the whole credit and honor of the invention of elevators, conveyors, hopperboys, and drills, but Oliver is not willing to wait so long for his reward.

On the whole his hopes increase, that congress will be convinced that the best and shortest way to get possession of useful improvements, and to promote the progress of the useful arts, as enjoined on them by the constitution, (in these words: "Congress shall have power to promote science and the useful arts, by securing* to authors and inventors the exclusive right to their respective writings or discoveries for limited times"—*not for a limited time,*) is to grant their protection for a sufficient limited time in the first instance, to engage the inventors themselves to put their inventions in operation. They are the proper masters to teach the boys to use the jack plane that they have first learned to work with themselves. If twenty-eight years protection be a proper term for an author who puts his ideas on paper to sell (and it is known to be short enough) why should not the inventor who puts his ideas in operation by a machine, or to improve an art, which will cost him a thousand times as much in many cases, be protected for an equal time. The evident conclusion is, that inventions of the utmost importance have lain dormant, and cannot be produced until the protection be granted; that the memorialists are injuring their country to a very great extent.

The memorialits gain by the improvements in the manufacture of flour, as follows:

| | |
|---|---|
| For every 20 barrels of flour made per day, there is the labor of one full hand saved. Elisha Tyson with two pairs of 6 feet stones makes 72 barrels per day, there is saved for him the labor of three and a half full hands, at $1 per day | $3 50 |
| 72 barrels per day at 50 cents, gained by making more superfine flour and less stuffs, as proved by their own witnesses in court, is | 36 00 |
| His gain by the use of the improvements per day is | $39 50 |

Suppose 200 days per year at $39 50, makes his gain per year $7,900. 14 years at $7,900 makes his gain during the patent term $110,600. He has had the use of them about 25 years already.

Jonathan Ellicott with four pairs of 7 feet stones, makes 185 barrels of flour per day; the labor of nine and a fourth hands are saved for him, and his gain by the same rule per day is $101 75. His gain per year $20,350. His gain during the patent term is $284,900. He has had the use about twenty-five years already.

Thomas Ellicott with two pairs of 7 feet stones makes 100 barrels flour per day, the labor of five hands is saved him, and by the same rule his gain by the use is per day $55. His gain per year, allowing 200 days work per year, is $11,000. His gain during the patent term of 14 years is $154,000. He has had the use about six years, perhaps eight years. He has candidly declared that he will break the patent if he can; this was before he went home.

Isaac M'Pherson is a millstone maker, and we cannot see how he feels the burden, but we suspect he is oppressed by another patent which Mr. Evans took out for his improvement on making millstones, by turning and balancing them truly on their centre. This may have taken from him many good jobs. It was he that wrote to Mr. Jefferson.

They all unite in saying, that the profits have all gone into the hands of the farmer, so that there has not been more than three dollars per barrel profit left to the miller, and that lasted only a part of the year 1812; it soon fell to $2 50 per barrel, and down to $2, and even lower.

But Mr. Evans is willing to accommodate and to divide the gains and savings, by the use of his improvements, equally between

* Congress cannot *grant* but can *protect natural right.*

ninety-eight honest farmers, the miller and himself, and he finds that his share will be more than he ever demanded.

This is certainly the most extraordinary oppression; it burdens the oppressed with *dollars and eagles* who call for more sacks upon the back, until they cry out bloody miller! bloody miller!!* Yet they hold on like dying misers to their bags.

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The following numbers copied from the National Intelligencer, may be worthy the attention of those interested either for or against patent rights, although the same ideas may in some instances be repeated.

No. I.

*Patent right, for new and useful improvements, no monopoly.*

Monopoly, one of the most odious terms in the English language, has been used to convey the idea of exclusive right to new inventions. No wonder then that the people who have just conceptions of the unjust and oppressive act of granting monopoly, should be opposed to exclusive rights, bearing that odious name.

Lord Coke described a monopoly to be a grant by the king to any person or persons of the exclusive right of buying or selling, making or using any thing which any person or persons had the right of buying or selling, making or using, in their lawful trade, previous to such grant.

The parliament of Great Britain by their act of 21 Jac. 1, enacted, that all such grants were contrary to the laws of the realm, depriving their king of the prerogative of granting monopolies. But by the same act provided, that the act should not extend to deprive the king of his prerogative of granting exclusive rights, by letters patent, to the true and first inventor and inventors, of any manner of new manufactures, within the realm. This is the English patent law; there is no other statute law in the case.

Why did parliament make this exception, after having declared, that all monopolies were "altogether contrary to the laws of the realm?" I answer, because they saw that exclusive rights for new inventions were not monopolies, nor could they possibly be, according to the meaning of the word, as described by lord Coke. A thing that was to be new in the realm, certainly never existed in the realm, before invented or discovered by the patentee. If it had never existed, certainly no person could have been in the practice of buying or selling, making or using it, in their lawful trade. The grant then could not deprive any person of any right they possessed, nor could any one have any claim of any right to things which never existed.—Parliament no doubt conceived that no person could possibly have any right to the invention or discovery but the inventor himself. Therefore they allowed their king the prerogative of protecting these rights for 14 years by his letters patent, reserving the right to parliament of extending the term, or granting protection for new terms, as might be necessary—and which they have never refused to do where the case merited it. They have granted new terms of 7, 14, 18, 20, 25, 30 years, as the importance, expense or nature of the case required. Had they given those letters patent an appropriate name, and called them the king's protection of the right of the inventor by his letters patent, instead of a monopoly, hostility to the protection of the rights of inventors would have ceased in a great measure; the inventors would have escaped much persecution; much litigation would have been prevented; for the very idea of protection by the supreme authority in a just right, would have been conveyed, instead of a monopoly of public right. While the people believe patent rights to be monopolies, it will require a series of reflections even in congress to get rid of the idea; and no one can expect that congress will ever consent to grant a monopoly.

If protection of exclusive rights to new inventions are not monopolies in England, neither can they be in this country; for no power exists in our free government, to grant a monopoly, to deprive a person of any vested right; even congress have not the power to grant a monopoly, but have power to secure to authors and inventors exclusive right to their respective writings and discoveries, for limited times, by their letters patent, granting their protection to inherent right only. Accordingly our patent laws afford protection to the inventor or discoverer "of any new and useful art, machine, manufacture, &c. or any new and useful improvement on any art, machine, manufacture, &c. not known or used," before discovered or invented by the patentee. Therefore patents in this country can be good only for things that are new and useful; things unknown in the United States; things that had no existence in the United States, before invented or discovered by the patentee; things to be discovered, invented, made or created by the patentee, in addition to the public knowledge or property. If so, no person can have any vested right in them; the protection granted cannot be a monopoly; because it takes nothing from nor deprives any person of any right they possessed; nor can the grant do any injury to any person. But if the thing patented was known and used in

* A play amongst boys, to try who can lay under the heaviest burden, the cry of bloody miller is for relief.

the United States prior to the supposed invention or discovery of the patentee, the patent would be void by our law. Therefore a patent right cannot be a monopoly in this country.

The constitution of the United States delegates the power to congress "to promote science and the useful arts, by protecting authors and inventors in the exclusive right to their respective writings and discoveries, for limited times." This clause acknowledges the right of inventors, and enjoins it as a duty on congress to act effectually so as to promote science and useful art.

Congress, in the discharge of this trust, passed the act entitled "an act to promote the progress of the useful arts," granting their protection by letters patent for 14 years, to inventors or discoverers. We will proceed to examine how this act has operated to produce the effect intended.

No. II.

Congress passed the act entitled an act to promote the progress of the useful arts, with intent to excite to action the inventive genius of the U. States, and stimulate inventors with a prospect and hope of ample renumeration for their labors and expenses, by protecting them in the full enjoyment of their rights, exclusively for the term of 14 years, a time then deemed sufficient to reward them.

Genius was excited, and many, with more zeal and patriotism than prudence, have spent their all in producing such inventions and improvements as their means were equal to; but few have met the reward they expected & they find their patent terms expiring before they have received any profits. And it is a notorious fact, that no class of society, equally industrious and economical, are so oppressed with poverty and real indigence; as inventors are at this day.

Those who have conceived improvements too expensive for their means, have failed in their applications to prudent men for their aid, and their discoveries lay dormant.—Those who had the means and have produced expensive improvements, or expended their time or money to introduce them into use, have not been compensated, but ruined at the expiration of their patent terms.—There is no instance within the knowledge of the writer, of the term of 14 years having rewarded the inventor, as was intended by Congress, when they passed the act. It being the general opinion that he who makes a useful improvement is justly entitled to receive from the use of it a competency for life. The local circumstances of this country require a longer time; the state of the arts; the scattered population; the tedious law suits to be sustained; the general opposition to be met from those who are to use the improvements, who being attached to the modes they were taught, they will wait the first seven years to see the utility fully proved, and then many from their detestation to what they have been brought to view as a monoply, will wait the last seven years that the patent may expire rather than pay for a licence. Thus fourteen years operates injuriously instead of beneficially to the public, in the following ways:

1st. Totally suppresses all expensive improvements that the inventor has not the means within himself to produce in operation, for no persons will risque their money to assist him, nor will the inventor himself risque the expense if he be prudent, while he has no prospect of being rewarded; and thus the invention will lay dormant be it ever so important and beneficial. And the public deprive themselves of the benefits of such improvements, for a much greater length of time, than would have produced them, and rewarded the inventor by his having received about 1-100th part of the benefit the public will have received in the same time, but counting the benefits to be received by the public after the expiration of the sufficient limited time, and we may then say, the public is to receive one thousand times the benefit that the inventor asks for his own inventions, for which no one can shew that the public gives any thing, or suffer any loss or disadvantage, by granting sufficient protection, or retains or secures any right by refusing to grant a sufficient term.

Witness the discoveries of the Marquis of Worcester published, *observe*, published in 1663, viz. The great Elastic power of Steam, the Torpedo, the Telegraph, Conversive Statue, the Principles in Optics, by which he could discover objects sunk beneath the horizon, or beyond objects which obstruct the view, a Self-moving machine. These are all that can be recollected by the writer, of the marquis' one hundred inventions then published, and which have been revived in this country between 127 and 151 years since he published them, As to the utility of his discoveries the writer can speak of only one, viz. The Elastic power of Steam, which was re-discovered without a knowledge that the marquis ever existed, and the application improved on, and put in operation 28 years after so re-discovered, and 140 years after published by the marquis, so as to produce a steam engine ten times as powerful as the best then in use, and can be made with half the labor, more simple and permanent, will require not more than half the fuel, and will work with a thousandth part of the water, will not exceed one fourth part the weight, can be wrought with salt

water, limestone or muddy water, and no sediment shall accumulate to interrupt the boiler. The same heat that drives it may be afterwards applied to many other useful purposes, such as distilling, heating or boiling water to evaporate it, or for other purposes, or to warming the factory which the engine drives, its portability fits it for boats and carriages and a great variety of purposes, to which the other will not apply, especially to boats on the turbid waters of the Mississippi, salt water, &c. and carriages.

What was the reason this engine was not produced by the marquis in his day? Perhaps the same which kept it dormant 28 years after re-discovered here; 14 years only of exclusive right was offered him, and he could not produce the aid he wanted then, there, no more than the re-discoverer could procure it here; 30 years were necessary. What did the public gain or secure by the refusal? Nothing. What could it have cost them to make the grant? Nothing. What have they missed gaining by refusing the grant? Benefits to an incalculable amount, for if we take into calculation half the price of all the steam engines since made, and half the fuel they have consumed, and all other advantages that might have been derived from the improvement, it would swell the amount to baffle the calculator.

No. III.

2d. It confines the inventor to the improvement of his own art only, because he cannot gain by improving any other, and there has been scarcely a solitary instance of any man having improved the art he was bred to—And it promotes the sordid and detestable principle or practice (which pervades the world) of keeping the principle of our arts secret. For if an artist, shackled as he is by old plans, should happen to discover an improvement on his own art, it is his interest to pay thirty dollars into the Treasury of the U. States, and take out a patent to prevent any other person from using it besides himself. Contrary to the patriotism that pervades the breat of every true inventive genius, who glories in making his discovery known to all, that they may be benefited by it, had not the impolitic law made it his interest to barely comply with the law by filing a specification in the patent office, which few will ever see, and not one of 100 who shall see it will understand, so as to be able to make and use the improvement, after the patent expires. Thus the inventor may continue to have almost the exclusive use of his invention, for not only one term, but two or three terms of 14 years, for every other person who may get the use of it will be as deeply interested as himself in keeping it a secret. Thus the public deprive themselves of the benefits of new and useful improvements, by the very steps they take to get possession of them.

The extention of a patent term for a useful invention or improvement, is certainly one of the most benevolent acts, originating from principles of justice and benevolence, with intent to reward the inventor for his past labors and ingenuity, and to encourage others to follow his example in producing other useful inventions. This looks indeed a little like granting a monoply for a thing already existing and in use, until we recollect that no person, except the inventor himself, can have any inherent right to it; then it appears clear to be no monopoly, but if the patentee be not the inventor or the discoverer, it would be a monopoly in the most hateful sense of the word.

These extensions have, we believe, in every instance been productive of the most beneficial effects to the community, for instance—

1st. The extension of Bolton & Watts' patent for 25 years, when seven years of their first term had expired, by the British parliament; which enabled and encouraged them to establish the greatest and most beneficial manufactory that ever existed in the British dominions, or perhaps in the known world, viz. that of their improved Steam Engines.

These engines are the prime mover of their principal manufactories, founding their commerce and gigantic naval power.

2d. The extenson of Whitmore's patent for making cards, which has caused a great manufactory of wire and cards to be established in New-York that will supply the U. States.

3d. The act of Congress for the relief of Oliver Evans, which gave a new stimulus to the inventive genius of the United States, and enabled him to force forward the improvements on Steam Engines, against the current of prejudice and opposition which had kept it dormant from 1773 to 1802, and had nearly surpressed it from 1802 to 1809, when he got his steam mill in motion in Pittsburgh, since which it has progressed rapidly, and his engines are now applied as follows: one 20 horse power at Manchack sawing timber: on 20 horse do. at Natchez one 8 horse at do. sawing; one 24 horse do Lexington, grinding grain; one 40 horse do making paper; one 42 horse building for Limestone on Ohio, for grinding grain; one 70 horse power for grinding grain at Cincinnati, Ohio; one 20 horse power at Marietta, Ohio, grinding grain. There are going in Pittsburgh one 24 horse power, grinding grain; one 16 horse power, making paper one 8 horse power, drawing wire &c.;—one 16 horse, tilting shovels and spades one 70 horse power, rolling and slitting iron

And there are making at Pittsburgh, one for Louisville 20 horse power; one 20 horse for Frankfort, Ky.; one 20 horse for manufacturing at Cincinnati; one 30 horse to grind grain at Washington, Penn. one 13 horse for Lexington, Ky. At work at Philadelphia, 2 of 6 horse power each for grinding white lead; one 5 horse manufacturing steam engines; one 6 horse spinning cotton, at New-York; one for manufacturing woollen cloth, 24 horse power; one 24 horse for drawing wire and making cards. At Middletown, Con. one 20 horse power for manufacturing woollen cloth. At Providence, R. I. one 30 horse power for spinning cotton; one 20 horse power for manufacturing, At Boston, one 20 horse power for a boat. Amounting in all to 28 Steam Engines, 25 of which have been made since 1809.

These are some of the good effects of the liberal grant. Had it not been made, his improvement would not have a fourth part the progress; for he would have had neither power nor spirit to have forced it on against all opposition, as he has done; and he would have had the usual complaint that his invention had ruined him. And moreover it has enabled him to support his son George, to form associations in Pittsburg, and there to establish an iron foundery, steam engine manufactory, mould makers' shop, and black smiths shops, with 10 or 12 smiths' forges; and more than 50 workmen are there daily employed; making steam engines and other machinery, such as are wanted in the western country. And in order to bring about this establishment, the patentee assigned one fourth part of his patent right to his improvement on the steam engine, to Mr. Luther Stephens, of Lexington, Ky. to compensate him for an improvement that he had made to simplify its form, and to engage his talents in promoting its progress into use. And another fourth part his son, on condition that they would associate and form the establishment, which they have done with a full hope that Congress would be disposed to grant their protection in the exclusive right to the improvement for another term, to insure them a liberal compensation for the great undertaking, as well as to reward the inventor. Thus it is evident that the inventor has surrendered one half his exclusive right to his improvement, to promote establishments to extend the use of his improvement, for the public interest.

These steam engines are sold at lower prices than any other can be made and sold at. They will not require more than half the fuel to produce equal power. So that the inventor cannot be said to demand any thing for his licence; for he grants licence with the engine. It is certain, however, that he does not retain for his exclusive right one hundredth part of the benefits the public or the users of his engines receive from his invention; for it is a fact that those who use his engines, and know their superior qualities, would not accept the best English engines as a gift, if they could get his at his prices. Has a single right been sacrificed, or monopoly of any thing that existed been granted or secured to him?

No. IV.

Eminent Divines believe that the beneficient Creator of all things in his providence, causes every great good to be produced in due time through human agencies. Some are inspired to preach the gospel of everlasting truth; others the principles of the sciences and the useful arts; and others the principles of true and sound policy, Shall one more than the other find excuse, if he bury his talent and neglect his duty? If not, then all should be allowed to labor for the public good, as he feels himself disposed.

How great will the change be for the better, when inventors shall be protected in the exclusive right to their discoveries for 28 instead of 14 years! They will then be able to form associations by selling a part of their patent rights, for aid to mature their discoveries and put their improvements into operation. The public will then begin to receive the benefits of the use before 7 years shall have expired. For the interest of the inventor will be entirely changed: instead of keeping his discovery secret, he will travel, and hire agents to travel, to all parts of the U. States, where his improvement will be beneficial, to instruct the people to make and use it; and he may count on gaining much by selling his licences to use his discovery during his term—for the people will not think of waiting the expiration of his term, rather than to purchase licence, and thus they will be forced into a bargain by which the user of the improvement will gain 20, 50, or perhaps 100 dollars, for one that he shall pay to the inventor for his licence. If 100 purchase licence, then the inventor will have gained as much by the sales, as any one by the use. If 1000 purchase licence, he will have gained 10 times as much as any one of them. If 10,000 purchase his licence, then he will have gained 100 times as much by the sales, as any one by the use of his improvement. If he should become too rich, he is apt to be liberal and patriotic, he may still be a far more useful citizen than if 14 years only had been granted him, and he had never been able to have produced the improvement, and had remained in poverty, branded with the epithet of a whimsical projector, scoffed and insulted because he did not make what he said he had discovered. But if after he has become so rich he should become niggard and miser, (which God for-

bid for the honor of inventors) yet he will soon die, and his riches may fall into better hands. But putting the inventors out of the question, it appears that the public will gain 100 times as much as the inventors themselves: If so, certainly the public interest requires the patent term to be extended to 28 years, provided no money is to be expended, no right infringed, no injury done, either public or private, no monopoly of any existing thing granted, to obtain so great benefits as to redeem from poverty and distress a useful class of citizens and their families, by simply allowing them the full enjoyment of their own rights and labor for 28 years, only, while every other citizen is protected for ever in the full enjoyment of their rights and labors, to promote the progress of the useful arts with unexampled rapidity, by bringing forth many improvements now lying dormant for want of encouragement, to increase the power and wealth of the nation, at this time engaged in defensive war, and in more need of such aid. For science and art, united with valor, will always be an overmatch for valor alone. Believing as he writes, the writer can not refrain from hoping and believing that the great change will soon be made. If his zeal is without knowledge, the goodness of the cause will obtain for him the indulgence of his superiors.

NO V.

Extract of a letter from Isaac Sanford, artist and manufacturer, dated

*Providence, Rhode Island, Dec.* 20, 1813.

Dear Sir—In answer to your enquiries: I resided in England upwards of ten years; during that time had frequent opportunities to examine the steam engines erected on Messrs. Watt and Bolton's plan. I was more attentive to the subject, from a conviction that they were better calculated for driving machinery than water, and being determined to use one on my return.

Soon after my arrival I was agreeably surprised to find by your publication that you had made great improvement on the principle, which gave birth to the order for the engine at Middletown. It is no more than candid to say, that engine performed far to exceed my most sanguine hopes, and continued so during my stay. Your late improvement, the inexhaustible principle, is great. And from what has been done with the engine lately erected for us here, I am convinced that it will not only enable me to warm the adjoining apartments, but at the same time save a considerable part of the fuel. By supplying the boiler with distilled water, they will be much more free from sediment, which cannot be avoided in the old plan. And from experience am convinced our engine will not require more than one and a half cords of wood in 12 hours; and were it on the plan of Messrs. Watt and Bolton, it would take not less than 4 cords. Consequently from the bare difference in the fuel, exclusive of the other advantages, every man will acknowledge with me, that it is better to take your engines at your price, than others at a gift. I deem it a duty I owe to society, candidly to declare my opinion with regard to your improvements. I am doing the public much greater good than yourself, &c.

(Signed) ISAAC SANFORD.

The above extract of a letter from an artist of great experience and ingenuity, certainly merits attention from the public. It is a repetition of the same opinion expressed in his letter dated Middletown, June 16th, 1811; and other gentlemen might be quoted to the same amount.

It has been shewn, that to extend a patent term to reward an inventor for the good he has happened to be able to do, because he has encountered great difficulties in getting his improvement into operation, is a great good and beneficent act. But how much more great, good and beneficent would the act be, to award the protection of government for the double term in the first instance, and remove all those difficulties out of the inventors way. Thus to enable them to do good they can never can be able to do without such aid, to shew what they can do, to bring into active operation perhaps, talents of the highest value, that are concealed by poverty, to produce improvements in a tenfold ratio, perhaps both as to numbers and value. Now, if any person can shew that such a grant would cost the government a single cent more than the time of passing the act, or deprive a single citizen of a single right, it will be acknowledged, so far, a good reason for refusing it. But if no such thing can be shewn, why should we not hope that it will speedily be granted.

No. VI.

Let us take a view and try to discover what effect a patent term of 28 years, granted in the first instance might have had on the inventions and improvements of a single inventor, who has been so fortunate at last as to escape from the dreary waste, where men seek for new discoveries, where insult, abuse and robbery is tolerated by common law, and the cold north east winds of disappointment, poverty and despair, rage incessantly, leaving behind him his fellow sufferers in too great numbers for him to attempt to relieve. He had discovered before the year 1785 the following improvements, viz: the principles for propelling carriages on turnpike roads, and boats on the western waters, by steam —some improvements in making iron wire for card teeth—a machine for making wire into card teeth at the rate of 3000 in a minute—a machine for pricking the holes in the

leather at the rate of 200 pair in 12 hours —a machine for making the teeth, pricking the leather, and setting the teeth of cotton and wool cards at the same time; this was not put in operation but lost, (a machine for the same purpose has since been made and patented by Mr. Whittemore)—improvements in the manufacture of flour by a combination of improved machines; an improvement in rice mills, supposed to be as complete as in the flour mills; a machine for reaping wheat and other grain, by the power of a horse; (and last) a mill to draw wire and make it into card teeth. For he that can invent new things is, we believe, deficient in memory; and when new ideas or conceptions are repelled, as unprofitable and expensive guests, they quickly disappear, perhaps never intrude again on the same person.

The mind of the inventor was always entirely too fertile for his means. When he applied to the millers of his vicinity to contribute to the expence of constructing and maturing his improvements in flour mills, and to share in the use of them when completed; they refused, and no one could be found to pay any thing. Of this he complained to influential gentlemen, who advised him to petition the legislature for exclusive rights—and thus originated his first application to government, before the patent laws or federal government existed. He observed at that time, "that if government would purchase all his inventions, (meaning all that have been named) and sell licences to the people, it would be sufficient to pay the public debt and free the country from taxes." These were his expanded conceptions at that early period, and these are but a part of what he has conceived. At that time he had but feint conceptions of the opposition to the introduction of his improvement, and the insult, abuse, and robbery, he had to meet as soon as the value of his inventions would appear, of the great labor and expence of maturing his improvements, of the tedious law suits he should have to sustain to defend his right, to wear away his patent term before he could begin to realize any profits. Nor the great thirst many could have to be thought the inventor, after the utility of his discoveries should be known —the numerous and false pretensions they would set up, the intrigues and corruptions that would be practiced, to support their claims and defraud him of his rights; the powerful combinations that would be formed by the unjust and hypocritical to calumniate him, the glaring falsehoods that would be propagated to excite the indignation of even the best and most just, most eminent men, against him—until they could be undeceived. Little did he think that 29 years should pass away, instead of 14, before half of his improvements could be commenced, or that they should die with him.

No. VII.—*FINANCE.*

The following theoretical scheme for raising a revenue and freeing the people of the U. States from taxes, is offered for consideration.

Whereas, it is evident, that man's ideas and inventions are by natural law his own exclusive property, and that the power of the state cannot divest him of them, so long as he chooses to hold his right exclusively.—Therefore, governments have deemed it expedient to offer to all inventors to protect them in the full and exclusive right to the use and benefit of their ideas and inventions for 14 years, on condition that they will disclose them and put them in useful operation, and so describe them, that the public may have the full use of them, at the expiration of the patent term.—And that those inventions so described, shall become the property of the public, in which each individual of the community shall hold an equal share, and receive an equal share of the benefits; not common property, to be used by those only whose interest they will alone promote, and that without rendering any compensation for those benefits to the rest of the community, but the property of all, who shall share the benefits equally.

And whereas, long experience has proved, that protection for 14 years only is too short a time. The inventors protest against it, because, say they, we had no part or share in making the contract, it was made ex parte by the government alone. And the time is too short to induce them to disclose their inventions and put them in useful operation, when it would be attended with any considerable labor and expence, none but the imprudent accept the terms, and they have become the objects of the scoff and ridicule of knaves and fools (this they themselves acknowledge) until they succeed in producing something useful and profitable, when they become the objects of their malice, envy, persecution, insult, abuse and robbery. And they have and will by their calumnies, supported by numbers, excited and will excite even the indignation of the most just and best men against the inventors.

The first part of the scheme then is, for the government to extend their protection from 14 to 28 years. This will excite to action prudent inventors, and enable them to obtain the aid of rich men, to put in operation the most expensive and most important inventions and improvements—many which are now lying dormant, though long since discovered, and would produce ten times the number of improvements of ten times the value.

The second part of the scheme is, for the government to take charge of the improve-

ments, at the expiration of the patent terms, and sell licences to those who wish to use them, at such prices as they may be worth annually, and place the proceeds in the treasury, for the benefit of the whole people.

To elucidate this scheme, we will, for instance, take some of the late improvements already in use, and some that are declared to be ready to be put in operation

1. The cotton gin, that has doubled the value of every cotton plantation; and consider what each planter could afford to pay annually, rather than do without it.

2. The improvements in the manufacture of flour; considering what could be paid on each pair of millstones annually.

3. The late improvements on steam engines; and what could be paid for each horse power per annum, which will be applied to mills, forges, and manufactories, &c. of every kind.

4. The improvements on steam boats; considering that there will be thousands of them and what will be paid annually on each

5. Steam waggons; the great number there would be of them, and what would be paid on each annually.

Each of those inventions would produce an immense sum annually, if in the hands of government, who might charge 28 times the price that the patentees can, and would not be charged with extortion, as inventors are. They could demand annually, as much as the inventor dare demand for his whole patent term.

The writer forbears to calculate the vast amount, for the reader would say the man is deranged. The whole truth would not bear to be told in this case; for the Indian who had seen Fitche's steam-boat, when he returned to his country, and was relating the many wonders that he had seen, was listened to until he said he had seen a great canoe run up stream by fire and smoke, was knocked down by one of his hearers, who exclaimed, 'I knew that you were lying all the while, but this is too great a lie to be borne with.' There would be no monopoly of any thing that ever had existed by this scheme; the revenue would arise from new stock. And one great advantage would be, he who paid his money into the treasury (without expence to the public to collect it) would do it most cheerfully, expecting to gain 3 or 400 per cent. by it.

Persecution of inventors would entirely cease, for it would become the interest of a great majority of the people to support them in their rights, that their improvements might finally become public property. The sordid and unjust would cease to calumniate inventors, for they could have no hope of getting possession of their property (without paying for it) by so doing. Inventors, encouraged by the sweet reward of riches and honors, would flourish beyond all former examples, and the government soon become the richest in the world, and the people be forever freed from taxes. And it is certainly neither justice nor good policy that any particular class should receive the whole benefits of any particular invention, when it is the property of the whole people. Why should the cotton planters only be enriched by the cotton gin, or the millers by the improvements in the manufacture of flour? They have not (many of them) used the inventors generously or justly. Congress have the power to devise the means of raising a revenue, and it is to be hoped they will put an end to this species of injustice, by passing a law, that as fast as patents expire, the improvements shall be the property of the United States, and their use be licenced by the government, at the prices they may be worth annually.

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*To the honorable the Senators, and Representatives in Congress, individually,*

The subscriber, in behalf of himself and the patentees in the United States, begs leave to represent to the members of Congress:

That when any man discovers a piece of unlocated land, he is allowed by law to patent it, and on paying the public for their right to the soil, it is secured to him, his heirs and assigns forever.—He can sell any part of it to others, to induce them to join with him in improving the same, by building mills, furnaces, forges, bridges, roads, canals, &c. for their own and the public benefit.—But it is evident, that if the exclusive right to the land had been granted for only fourteen years, that he could neither afford to make such improvements, nor could he sell any part of his right to induce others to engage to do it; and the consequence would be, that no prudent person would patent such lands, and no improvements would be made thereon, although it does not cost a man much to discover unlocated land, it being a fixed, existing thing, that can be easily found by any one who will go to it.

But to discover a new principle, or the means of applying a principle to make a new and useful improvement in science or art, oftentimes requires, not only ingenuity, but great labor and exertion, of both body and mind, in a long course of expensive experiments, for it is not an existing fixed thing, but has to be discovered, invented, and in a measure created by the inventor. The public can have no claim to it, or any thing that does not exist as proprietors of the soil. He that creates or produces a thing that never before existed, is by common consent, and the laws of nature, the only proprietor, as no other person can possibly have any claim or

right to it. Thus, inventors humbly conceive, that they are entitled to be secured in their rights for more than fourteen years.—Inventors are so few in number, that they are never represented in legislation, and cannot defend their rights, but are subject to the rest of the community, who forget to legislate, to protect such property as inventors produce; therefore, the property of the inventor only is left unprotected, and it is common to all, excepting only in such countries where the evil tendency of such policy has been discovered; there the inventor is protected in his rights for limited times; and even this partial justice has been productive of much good. But we have heard no good reason assigned why protection to them should be extended to 14 years only, while all other classes are protected in the exclusive right to the fruits of their labor forever; they cannot, more than others, afford to surrender the fruits of their labors to the public, at the end of fourteen years; nor can they improve their inventions or discoveries, or sell any part of their right to others, to induce them to join with them to improve or extend their property for their own, or the public benefit.

A protection for fourteen years only, tends to suppress the inventive genius and labors of every prudent and wise man; for he knows that in so short a time, an improvement cannot be introduced against the prejudice and opposition it has to meet,* so as to yield any profit; therefore, discoveries must lay dormant, or be produced at the expence, and to the injury and ruin of the inventor, which is so often the case, that the reader will acknowledge that he would not bear the name of a projector of new things for any consideration, as it would destroy his credit equal to a bankruptcy.

All inventors think themselves capable of carrying on regular business in the beaten track as well as others, and generally have in their latter days to lament that they have labored for the public, subjecting themselves to the frauds and jeers of knaves and wags, to deprivations and poverty, while they have expended labor and exercised talents that would have soon raised them to independence if applied for their private interest. Believing that no further arguments need be used, and that he cannot make the case clearer, it remains with Congress to decide whether this state of things shall continue, and whether the public interest would not be greatly promoted by a further protection to the rights of inventors.

The writer, however, begs leave to declare that he believes that as early as 1786, he himself had conceived and discovered useful improvements, which, if they had been promptly and extensively put into operation, and the savings or gains by the use of them collected into the public treasury, it would have been sufficient to have discharged the public debt, defrayed the expense of government, and freed the people of the United States from taxes. But the most of them have been suppressed by the above stated policy, and are dormant at this day. But he knows that this assertion cannot be credited, for he has heretofore been deemed deranged for asserting much less. He hopes, therefore, that congress will appoint a committee, to ascertain the improvements he has already got into use, as well as those which he has specified in the patent office, and are lying dormant, that they may judge how far the assertion may be true. If it prove true in but one hundreth part, there surely may be ninety nine other inventors in the United States to supply the deficiency and make the case still worthy the attention of congress to pass a supplement to the patent laws, granting patentees, their heirs and assigns, the privilege of renewing their patents for a second term of fourteen years, any time within the last seven years of their first term; for if such supplement should produce improvements operating in the United States, the profits of the use of which will be sufficient to discharge the public debt, and exempt the people of the U. States from further taxation, it would be more than can be devised by any other means. The inventors will not fail on their parts to produce the improvements, and if others can devise the means of collecting the profits thereof into the treasury, the whole would soon be done; if not, the profits will remain somewhere in the United States; wealth is a good source from whence to draw supplies by loans or taxation.

If the protection now asked (for all patentees) had been granted to the subscriber when he petitioned the legislatures of Pennsylvania, Delaware and Maryland, in the years 1786—7, and had he found assistance to put his discoveries in full operation, and have drawn one dollar out of every hundred dollars gained by their use, (as he now does from the use of his improvements for the manufacture of flour) he might have been able to have loaned government a large sum at this day; and those who used his improvements to have loaned or paid in taxes ninety nine times as much from the same source. And it would be difficult to ascertain the injury that any person would have sustained from the wealth of either the inventor or the user of his improvements.

If it was right in the legislature of New-York to grant exclusive right to Messrs. Li

*The greatest opposition is always to be met from those who are to be most benefitted from the improvement; that is, from those who are to use it;—they cannot be induced to leave their old track.

vingston and Fulton for thirty years, which did produce steam boats in operation in 1807 which had laid dormant, twenty one years for want of such protection and aid, after having been invented and put in operation by others; it was an error in the legislature of Pennsylvania, in 1787, to reject my improvements, because they could not understand them, and wrong in the legislature of Maryland in limiting their grant to fourteen years a term too short to enable me to produce them.

If it be an error in an individual to refuse to use a patented machine, which would save him one hundred dollars in any given time, for fear of paying one dollar, or even six dollars out of the hundred, to the inventor, still it may be best to accept of important improvements on the terms that they can be produced. What was wrong or right at one time may be so now.

Great and expensive improvements, although they may be ever so important, cannot be produced without the protection that is asked, less will be thankfully received, but less will not, perhaps, answer the great purpose of stimulating genius to action, by remuneration equal to labors, expenses, and risks.

When we reflect that we ask neither money nor monopoly of any existing thing of congress, that the grant cannot deprive any person of any thing, while it may enable us to produce many new and useful things of the utmost importance and benefit to the community, promising to do much good, without (as we believe) a possibility of doing any harm—While we offer to produce things of high value to the public, on condition of their securing to us not more perhaps than one hundreth part of their value, equal to lending money, or its value, at one per cent. for one year, and then forgiving the debt—To serve our country in the way the God of nature has qualified us best to serve it—To enrich our country on the simple condition of its refraining from the use of our property without our consent for a limited time, doing us justice in but a small proportion is done to others—Allowing us to enrich ourselves by our own labors, while we shall enrich our neighbors and our country at the same time—Acknowledging ourselves entirely subject to the rest of the community, a class without protection, excepting for limiting times, without the means of defending our rights—Anxious to do all the good that we conceive ourselves capable of, but sensible that we cannot do it at our own expense, without a prospect, tempted to abandon our natural pursuits, suppress our patriotism and bury our talents that we may be free and independent as others are. Under reflections like these, we cannot refrain from hoping that all we ask will be speedily granted. When we shall be able to form associations, obtain the necessary aid, give our minds full scope, with fair prospects, we will soon prove the good policy of extending to us, as to others, the full enjoyment of the fruits of our labors, although it be but for limited times.

We will not be compelled to keep our discoveries and principles of art secret in our own defence; this sordid and execrable principle which we despise will be exploded, forever, as soon as our interest can be promoted by disclosing and publishing them.

I am, sir, very respectfully,

Your obedient humble servant,

OLIVER EVANS.

*Washington, Jan. 7th*, 1814.

END OF THE SECOND ADDENDA TO VOL. V.